Manitoba

# Manitoba Healthy Living, Seniors and Consumer Affairs

# Annual Report 2011–2012

MINISTER
OF HEALTHY LIVING, SENIORS AND CONSUMER AFFAIRS

Room 310
Legislative Building
Winnipeg, Manitoba CANADA
R3C 0V8

His Honour The Honourable Philip S. Lee, C.M., O.M.
Lieutenant Governor of Manitoba
Room 235, Legislative Building
Winnipeg, MB R3C 0V8

May It Please Your Honour:

I am pleased to present the Annual Report for the Department of Healthy Living, Seniors and Consumer Affairs for the fiscal year ending March 31, 2012, for the information of your honour.

Respectfully submitted,

*"Originally signed by"*

Honourable Jim Rondeau
Minister of Healthy Living, Seniors and Consumer Affairs

Manitoba

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Honourable Jim Rondeau
Minister of Healthy Living, Seniors and Consumer Affairs
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Dear Minister:

I am pleased to present the Annual Report of Healthy Living, Seniors and Consumer Affairs for the fiscal year 2011/12 which details the department's many accomplishments.

The department strengthened Healthy Living by adding more than 105 new workplaces, schools and communities to **Manitoba *in motion***. The program also worked with communities and workplaces throughout the province to plan and implement ways to increase physical activity.

The department continued efforts to support the falls prevention component of *SafetyAid* delivered by Age & Opportunity Inc. In 2011/12 the program expanded to south-western and south-central Manitoba, with a total of 5,052 falls prevention audits completed and 4,919 falls prevention supplies provided.

Through departmental leadership Manitoba co-hosted, along with the Public Health Agency of Canada, a Manitoba consultation for the *Our Health Our Future National Dialogue on Healthy Weights*. Stakeholders from many sectors shared their views on ways we can address healthy weights in children. The department also represented Manitoba in the development of the *Curbing Childhood Obesity: Federal, Provincial and Territorial Framework for Action to Promote Healthy Weights*.

The department continued further expansion of Manitoba's Healthy Schools Initiative to support healthy school environments. In partnership with Manitoba Education and Healthy Child Manitoba, Healthy Schools provided annual funding to school divisions and independent and First Nations schools to assist them in working with their regional health authorities and partners to develop and implement Healthy Schools plans and activities.

Implementation of the Healthy Foods Action Fund continued with support to community-based action on food security. A partnership was established with Winnipeg Foundation to support the Nourishing Potential Endowment Fund. Additionally, funding was provided to the Child Nutrition Council of Manitoba to support school nourishment programs and to the provincial Northern Healthy Foods Initiative to improve access and availability of nutritious foods in northern Manitoba.

In partnership with Manitoba Health and eHealth Manitoba, the department launched Health e-Plan, an online health and wellness tool in June 2011. In another partnership, the department was the co-lead in the development and implementation of the Provincial Bed Bug Strategy, and introduced and implemented several initiatives to support this strategy.

The department supported tobacco cessation initiatives by expanding Students Working Against Tobacco (SWAT) teams in Manitoba schools, supporting Manitoba's first Quit Smoking and Win Contest, producing and distributing the new Create and Rate program for youth, signing an agreement with Health Canada to support the 1-800# for the Smokers Helpline on cigarette packaging, and by engaging with Health Canada in enforcing restrictions on the sale of single cigarettes.

Addiction services were enhanced by securing funding through Health Canada's Drug Treatment Funding Program to expand youth treatment services and to integrate broad system changes through centralized access, performance measurement and knowledge exchange.

Through partnerships and collaboration with service providers, the department has successfully increased street level outreach in two key areas of the province, provided training to youth serving agencies to build capacity in other sectors working with vulnerable youth and to provide specialized training in select First Nations schools to provide prevention and early intervention services for youth. Through systems enhancements in collaboration with service providers, the department has begun the process to implement central access and screening, to develop common performance measurement, and build a knowledge exchange function across Manitoba. The department continues to lead a working group comprised of addictions stakeholders and department representatives to address policy and protocol for special populations, and to expand residential treatment beds and community-based services in Manitoba.

The department took steps to advance mental health and well-being in Manitoba by launching the five-year provincial mental health strategic plan "Rising to the Challenge", comprised of strategic actions to lead Manitoba toward its vision that "all Manitobans experience their optimal level of mental health and well-being". On February 15-16, 2012, the department co-hosted an invitational Mental Health Summit in Winnipeg. The theme was "Mental Health Promotion and Mental Illness Prevention for All" and was attended by 300 senior officials from across Canada, with cross-sectoral representation from all jurisdictions. In collaboration with RHAs and other external stakeholders, the department completed its third full year of implementation of the initiatives of the Youth Suicide Prevention Strategy with a focus on Aboriginal youth. Funding under the Strategy continued to support regional youth suicide prevention subcommittees, as well as community-based evidence-informed prevention programs across the province.

Services to seniors were enhanced by providing leadership to Age Friendly Manitoba and the national and international age-friendly movement; engaging older adults in health promotion strategies; increasing awareness and recognition of the valuable contributions of informal caregivers of all ages through the Caregiver Recognition Act; consulting with key stakeholders regarding potential Adult Protection Legislation; continuing to provide leadership, education and awareness about elder abuse prevention through the Elder Abuse Strategy; and acting as a central source of information to the public about government programs and community-based services for seniors.

Significant progress was made on the five-year consumer protection plan, including introduction of legislation for fairness and transparency in cell phone contracts; more protection for consumers who purchase prearranged funeral services; and better protection against real estate fraud. Amendments to *The Change of Name Act* were introduced to enable fingerprints to link changes of name to criminal records.

A new Condominium Act was introduced to modernize the legislation as well as strengthen protection for condominium owners and buyers. Legislation requiring disclosure to a purchaser or lessee of information about the history and condition of a vehicle was brought into force. Public consultations were conducted about improved consumer protection for car repairs, travel and warranty protection for new homes. The Independent Advisor pilot project to help guide tenants and landlords through the dispute resolution process was expanded to include services to landlords with smaller portfolios.

It is my privilege to present this report as a summary of the valuable work the staff of the department, in collaboration with our many partners, have contributed to in 2011/12.

Respectfully submitted,

*"Originally signed by"*

Cindy Stevens
Deputy Minister of Healthy Living, Seniors and Consumer Affairs

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Monsieur Jim Rondeau
Ministre de la Vie saine, des Aînés et de la Consommation
450, Broadway, bureau 310
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Monsieur le Ministre,

J'ai le plaisir de vous présenter le rapport annuel 2011-2012 de Vie saine, Aînés et Consommation Manitoba, qui décrit en détail les nombreuses réalisations du ministère.

Le ministère a renforcé la vie saine en ajoutant plus de 105 nouveaux lieux de travail, écoles et collectivités au programme **Manitoba *en mouvement***. Dans le cadre de celui-ci, on a collaboré avec des lieux de travail et des collectivités partout dans la province afin de planifier et de mettre en place des moyens pour augmenter l'activité physique.

Le ministère a poursuivi ses efforts dans le soutien au volet de prévention des chutes de *SécurAide* offert par Age & Opportunity Inc. En 2011-2012, le programme a été étendu aux régions du sud-ouest et du centre-sud du Manitoba, en effectuant un total de 5 052 vérifications centrées sur la prévention des chutes et en distribuant 4 919 articles de prévention des chutes.

Grâce au leadership ministériel et en collaboration avec l'Agence de la santé publique du Canada, le Manitoba a co-organisé une consultation manitobaine pour *Notre santé, notre avenir : Dialogue national sur le poids santé*. Des intervenants de nombreux secteurs ont mis en commun leurs opinions sur les moyens de promouvoir le poids santé chez les enfants. Le ministère a aussi représenté le Manitoba dans l'élaboration du document *Freiner l'obésité juvénile : Cadre d'action fédéral, provincial et territorial pour la promotion du poids santé.*

Le ministère continue d'étendre l'initiative Écoles en santé du Manitoba afin d'appuyer les milieux scolaires sains. En partenariat avec Éducation Manitoba et Enfants en santé Manitoba, Écoles en santé fournit un financement annuel aux divisions scolaires, aux écoles indépendantes et aux écoles des Premières nations pour les aider à travailler avec leurs offices régionaux de la santé et leurs partenaires afin d'élaborer et de mettre en place des plans et des activités Écoles en santé.

La mise en place du Fonds d'action pour une alimentation saine a continué, avec le soutien aux actions communautaires en matière de sécurité alimentaire. On a créé un partenariat avec la Winnipeg Foundation afin d'appuyer le fonds de dotation Nourishing Potential. De plus, on a fourni des fonds au Child Nutrition Council of Manitoba afin d'appuyer des programmes de repas dans les écoles, et à l'Initiative provinciale d'alimentation saine dans le Nord afin d'améliorer la disponibilité d'aliments nutritifs, ainsi que leur accès, dans le nord du Manitoba. En partenariat avec Santé Manitoba et le Programme de cybersanté du Manitoba, le ministère a lancé le CyberPlan de santé, outil en ligne de santé et de bien-être, en juin 2011. Dans un autre partenariat, le ministère a codirigé l'élaboration et la mise en place de la stratégie provinciale contre les punaises de lit, et a mis en œuvre plusieurs initiatives afin d'appuyer cette stratégie. Le ministère a appuyé des initiatives de renoncement au tabac en augmentant le nombre

d'équipes Students Working Against Tobacco (SWAT) dans les écoles du Manitoba; en soutenant le premier concours « Quit Smoking and Win » (J'arrête, j'y gagne) du Manitoba, et en produisant et en distribuant le nouveau programme pour les jeunes « Créer et classer »; en signant une entente avec Santé Canada afin d'appuyer la présence du numéro de la ligne gratuite de téléassistance pour fumeurs sur les paquets de cigarettes; et en s'engageant avec Santé Canada à faire appliquer les restrictions sur les ventes de cigarettes à l'unité.

On a amélioré les services de lutte contre les dépendants en obtenant du financement dans le cadre du Programme de soutien au financement du traitement de la toxicomanie de Santé Canada afin d'élargir les services de traitement pour les jeunes et d'intégrer de vastes changements au système au moyen d'un accès centralisé, de mesures de la performance et d'un échange de connaissances.

Grâce à des partenariats et en collaboration avec des fournisseurs de services, le ministère a réussi à augmenter les interventions au niveau de la rue dans deux régions clés de la province, a proposer de la formation à des organismes de services aux jeunes afin de renforcer les capacités dans d'autres secteurs de travail auprès de jeunes vulnérables et d'offrir une formation spécialités dans des écoles choisies des Premières nations en vue de proposer des services de prévention et d'intervention précoce pour les jeunes. Grâce à des améliorations des systèmes en collaboration avec des fournisseurs de services, le ministère a commencé le processus de mise en œuvre d'un accès et d'un examen initial centraux, afin de créer des systèmes communs de mesure relative à la performance et de mettre en place une fonction d'échange de connaissances à l'échelle du Manitoba.

Le ministère continue de diriger un groupe de travail composé d'intervenants du domaine des dépendances et de représentants ministériels afin de cerner les services en matière de politique et de protocole pour des populations particulières, et d'augmenter le nombre de places pour le traitement en résidence et de services communautaires au Manitoba.

Le ministère a pris des mesures afin de promouvoir la santé mentale et le bien-être au Manitoba en lançant le plan stratégique quinquennal provincial de santé mentale « Relever le défi », comprenant des actions stratégiques ayant pour objectif de mener le Manitoba vers sa vision que « tous les Manitobains et Manitobaines jouissent d'un niveau optimal de santé mentale et de bien-être ». Les 15 et 16 février 2012 à Winnipeg, le ministère a été l'un des hôtes d'un sommet sur invitation autour de la santé mentale. Ce sommet avait pour thème « Promotion de la santé mentale et prévention de la maladie mentale pour tous », et 300 hauts fonctionnaires de l'ensemble du Canada y ont assisté, formant une représentation intersectorielle de toutes les administrations. En collaboration avec les offices régionaux de la santé et d'autres intervenants externes, le ministère a terminé sa troisième année complète de mis en œuvre d'initiatives de la stratégie de prévention du suicide chez les jeunes du Manitoba, axée principalement sur les jeunes Autochtones. Dans le cadre de cette stratégie, des fonds ont continué d'appuyer des sous-comités régionaux de prévention du suicide chez les jeunes, ainsi que des programmes de prévention communautaires fondés sur des données probantes à l'échelle de la province.

On a amélioré les services aux aînés en jouant un rôle de chef de file dans l'Initiative du Manitoba, province amie des aînés et au sein du mouvement ami des aînés à l'échelle nationale et internationale; en faisant participer les adultes plus âgés à des stratégies de promotion de la santé; en faisant mieux connaître et en reconnaissant davantage la contribution précieuse des aidants naturels grâce à la *Loi sur la reconnaissance de l'apport des aidants naturels*; en consultant des intervenants clés sur des mesures législatives concernant la

protection des adultes; en continuant de guider, d'éduquer et de sensibiliser le public en ce qui a trait à la prévention des mauvais traitements envers les personnes âgées grâce à la Stratégie provinciale de lutte contre la violence envers les personnes âgées; et en servant de source centrale de renseignements pour le public en ce qui a trait aux programmes gouvernementaux et aux services communautaires pour les aînés.

Des progrès importants ont été réalisés dans le plan quinquennal pour la protection des consommateurs, y compris la présentation de mesures législatives pour des contrats de téléphonie cellulaire équitables et transparents, plus de protection pour les consommateurs qui paient pour des arrangements préalables de services de pompes funèbres, et une meilleure protection contre la fraude immobilière. On a présenté des modifications à la *Loi sur le changement de nom* pour autoriser la prise d'empreintes digitales afin d'établir un lien entre le changement de nom et les antécédents criminels.

On a présenté une nouvelle *Loi sur les condominiums* afin de moderniser les dispositions législatives et de renforcer la protection des propriétaires et des acheteurs de condominiums. Des mesures législatives requérant la divulgation à l'acheteur ou au preneur à bail de renseignements sur l'historique et la condition d'un véhicule sont entrées en vigueur. On a mené des consultations publiques sur la protection des consommateurs dans les domaines de la réparation de véhicules, des voyages et de la protection assurée par une garantie pour les nouvelles maisons. On a élargi le projet pilote de conseillers indépendants afin de guider les locataires et les locateurs tout au long du processus de résolution de conflit, afin d'inclure des services pour les locateurs dont le portefeuille de propriétés est plus petit.

C'est pour moi un privilège de vous remettre ce rapport qui résume le travail fructueux que le personnel du ministère, en collaboration avec nos nombreux partenaires, a accompli au cours de l'exercice 2011-2012.

Le tout respectueusement soumis,

*"Original signé par"*

Cindy Stevens
Sous-ministre de la Vie saine, des Aînés et de la Consommation

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# Introduction

## Report Structure

The Annual Report is organized in accordance with the appropriation structure for Manitoba Healthy Living, Seniors and Consumer Affairs (HLSCA) as set out in the Main Estimates of Expenditure of the Province of Manitoba for the fiscal year ending March 31, 2012. The report includes information at the main and sub-appropriation levels relating to the department's objectives and actual results achieved. Financial performance information is provided with expenditure and revenue variance explanations, and a five-year adjusted historical table of staffing and expenditures.

## Role and Mission

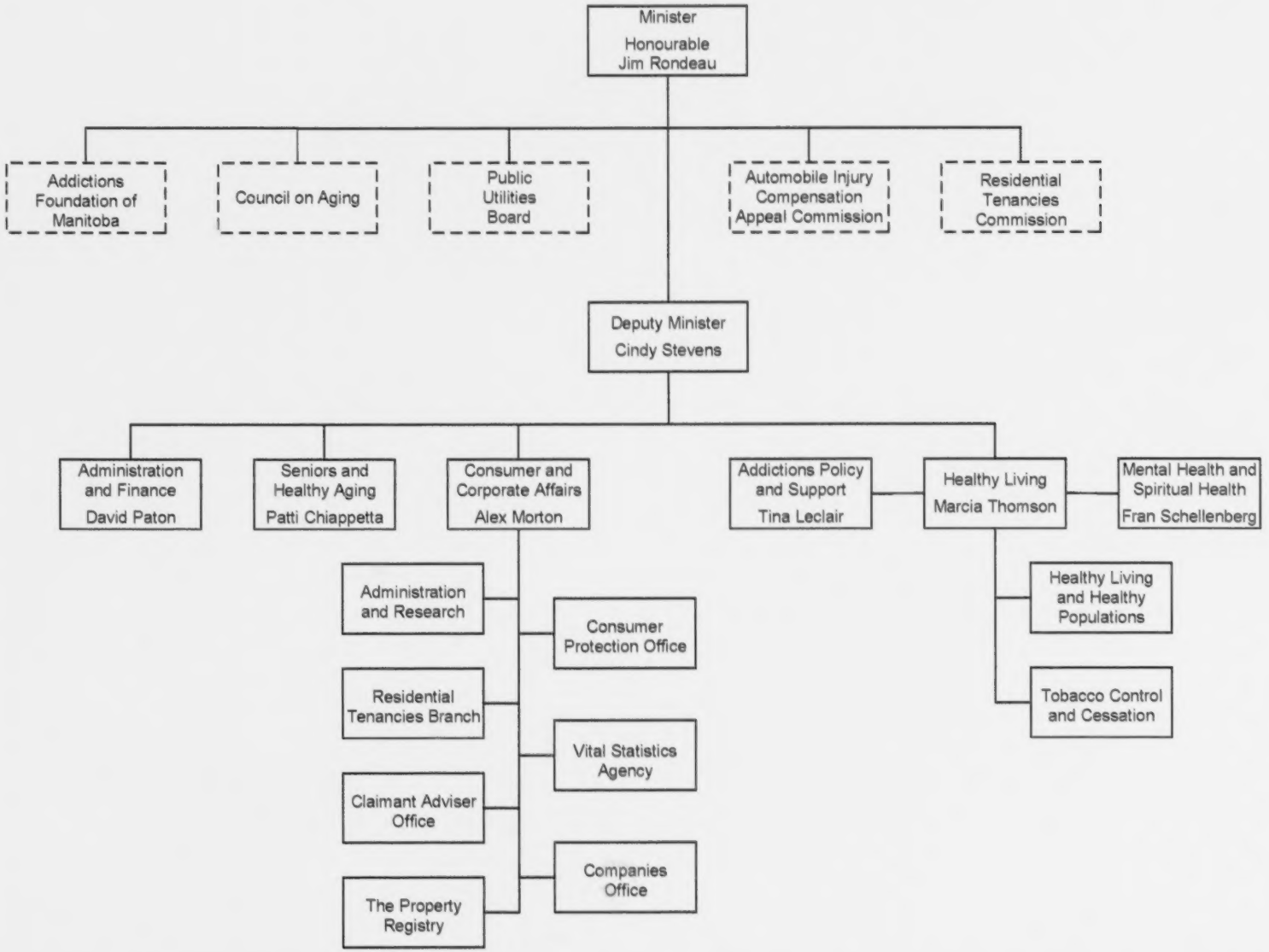
The department works to create healthy living opportunities that are meaningful to every Manitoban, of every age, in every community. Healthy Living, Seniors and Consumer Affairs focuses on the promotion of policies and programs within the department and across government, as well as in the community, which contribute to the health and wellness of Manitobans and works to create supportive environments that make healthy choices easier and more accessible. The department also strives to maintain a fair, efficient and informed marketplace for business and consumers.

Most importantly, the Healthy Living mandate of the department provides opportunities for Manitobans to maintain their health and wellness, and through these strategies, contributes to the sustainability of the health and service systems in Manitoba.

The overall responsibilities of the Minister and the department include:

- promoting public awareness of and commitment to promotion, prevention, and early intervention activities to encourage active living, healthy eating, healthy sexuality, injury prevention, and chronic disease prevention;
- creating an environment that promotes health, independence and well-being for all Manitoba seniors, through responsive policies, programs and services;
- developing and delivering wellness practices, volunteerism, physical activity, and community opportunities at the local and regional level for individuals of all ages;
- promoting and supporting initiatives to reduce the use of tobacco;
- providing leadership to the provincial network of addictions services, including Addictions Foundation Manitoba (AFM), through policy development, systems and service development, and the encouragement and support of addictions prevention opportunities;
- providing leadership, support and policy coordination for the mental health system and spiritual care in Manitoba, and promoting wellness and opportunities for community education and awareness;
- fostering business and consumer confidence in the marketplace;
- administering a regulatory framework that contributes to a competitive Manitoba economy;
- facilitating resolution of disputes between consumers and businesses, tenants and landlords; and
- maintaining registries of information of business names and corporations, and for the protection of individual identity and property rights.

# HEALTHY LIVING, SENIORS AND CONSUMER AFFAIRS
# ORGANIZATIONAL CHART
## March 31, 2012



## Statutory Responsibilities

The department operates under the authority of the following Acts of the Consolidated Statutes of Manitoba:

The Addictions Foundation Act

The Business Names Registration Act

The Business Practices Act

The Caregiver Recognition Act

The Cemeteries Act

The Change of Name Act

The Charities Endorsement Act

The Condominium Act

The Consumer Protection Act

The Corporations Act [except Part XXIV]

The Electronic Commerce and Information Act [Part 5]

The Funeral Directors and Embalmers Act

The Housing and Renewal Corporation Act [clause 44(k)]

The Hudson's Bay Company Land Register Act

The Landlord and Tenant Act

The Life Leases Act

The Manitoba Council on Aging Act

The Manitoba Evidence Act [Parts II and III]

The Manitoba Public Insurance Corporation Act [sections 174.1 to 174.4 (Claimant Adviser Office) and sections 175 to 185 (Automobile Injury Compensation Appeal Commission)]

The Marriage Act

The Mortgage Act [Part III]

The Non-Smokers Health Protection Act

The Occupiers' Liability Act [section 9.1]

The Partnership Act

The Personal Investigations Act

The Personal Property Security Act

The Prearranged Funeral Services Act

The Professional Home Economists Act

The Public Health Act [the Bedding and Other Upholstered or Stuffed Articles Regulation (Manitoba Regulation 78/2004)]

The Public Utilities Board Act

The Real Property Act

The Registry Act

The Religious Societies' Lands Act

The Residential Tenancies Act

The Special Survey Act

The Surveys Act (Part I)

The Title to Certain Lands Act

The Trade Practices Inquiry Act

The Vital Statistics Act

The Youth Drug Stabilization (Support for Parents) Act

# Executive Support

## Minister's Salary

This appropriation provides for the Minister's salary entitlement as a member of Executive Council.

**1(a) Minister's Salary**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 37 | 1.00 | 37 | - | |
| Other Expenditures | | | | | |
| **Total Sub-Appropriation** | **37** | **1.00** | **37** | **-** | |

## Executive Support

Executive Support, consisting of the Minister's and the Deputy Minister's offices, provides leadership, policy direction and operational coordination to support the department and its agencies. The Minister's office provides administrative support to the Minister in the exercise of his executive policy role and service to the constituency. The Deputy Minister advises the Minister and gives direction to the department on the overall management and development of its policies and programs.

**1(b) Executive Support**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 348 | 5.00 | 343 | 5 | |
| Other Expenditures | 67 | | 67 | - | |
| **Total Sub-Appropriation** | **415** | **5.00** | **410** | **5** | |

# Administration and Finance

## Financial and Administrative Services

Administration and Finance is a shared services branch which supports the operations of the departments of Culture, Heritage and Tourism; Healthy Living, Seniors and Consumer Affairs; and Children and Youth Opportunities.

Administration and Finance assists the department in achieving its goals by providing services in support of the effective management of its human, financial and information resources and by assisting the other divisions and branches in the implementation of their initiatives. As well, the division provides guidance and support in meeting the legislative and policy requirements of central agencies of government including the Treasury Board, Civil Service Commission, Provincial Comptroller's Office, Office of the Auditor General and Office of Business Transformation and Technology. Activities include providing critical analysis and advice to management, budget coordination, administrative and operational support services, and information technology support.

Management Services supports departmental planning processes and encourages the development of clear linkages between departmental, branch and section priorities and objectives, while maximizing the use of limited resources. The unit coordinates the preparation of the Department Plan, Estimates Supplement and Annual Report, including performance reporting, in accordance with Treasury Board guidelines. Additionally, it is responsible for ongoing maintenance of business continuity plans as required under *The Emergency Measures Act*.

Financial Services coordinates the preparation of the department's budget and provides financial advice and analytical support for resource allocation decision-making. The branch supports the preparation and review of authority seeking submissions and contracts. Additionally, it provides central accounting, financial monitoring and reporting, general operating and administrative support services, monthly expenditure and variance reports, quarterly revenue statements and annual financial statements. Financial Services is also responsible for the preparation, communication and monitoring of the department's comptrollership plan, and regularly provides management and financial reports that support the delivery of departmental programs and initiatives.

The Information Technology Services promotes and supports the planning, implementation and project management of all information technology applications within the department. This includes all aspects of the management and support of the department's internet site. The branch supports business units from the conception of a business improvement opportunity or from the identification of a new or changed business requirement through implementation of an appropriate solution. The branch provides consultative services to senior management and business units; coordinates the preparation and execution of the department's annual Information Technology Plan; coordinates the acquisition, installation, security, maintenance and support of desktop computer-related activties; and works closely with the office of Business Transformation and Technology (BTT) to manage the delivery of central services application development, implementation and maintenance services.

**1(c) Financial and Administrative Services**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Financial and Administrative Services | 198 | - | 192 | 6 | |
| **Total Sub-Appropriation** | **198** | **-** | **192** | **6** | |

## Sustainable Development

The long-term impacts of decisions affecting the economy, environment and social well-being are the priority of the Department of Healthy Living, Seniors and Consumer Affairs. Through support to Manitobans, their communities, and populations the department seeks to enhance overall wellness of Manitobans. This activity seeks to promote the health of the population and thereby reduce the reliance on the health and social service systems.

Examples in the daily operations of the department, management decision-making and program planning are highlighted:

- HLSCA promoted staff participation in the Commuter Challenge initiative aimed at encouraging staff to contribute to the efforts against climate change. Staff were encouraged to help reduce gas emissions through cycling, walking, rollerblading, taking the bus, or car pooling.

- The Manitoba ***in motion*** provincial physical activity strategy promotes active transportation, such as walking and cycling, as a great way to meet daily physical activity requirements.

- The department provided funding to the Physical Activity Coalition of Manitoba to develop resources and tools that support and promote physical activity through active transportation. The Physical Activity Coalition also hosted a provincial summit on active transportation in March 2012.

- *After the School Bell Rings* is a project that, in part, promotes active and safe routes to and from school. It is delivered by Recreation Connections Manitoba and Green Action Centre and funded through a bilateral agreement with HLSCA and Public Health Agency of Canada.

- HLSCA has established actions to protect the health and environment of Manitobans from possible adverse effects of their operations and activities as well as providing a safe and healthy working environment for staff.

- Landlords can electronically file copies of some residential tenancies notices, eliminating the need to make and send hard copies of these documents.

- Amendments to *The Residential Tenancies Act* were passed last year (to take effect June 1, 2012) which include the establishment of a new category for rent increase applications that will encourage landlords making capital improvements to their residential rental complexes to choose products that increase the energy efficiency of the complex.

- Each branch of Healthy Living, Seniors and Consumer Affairs (HLSCA) continues to reduce, reuse and recycle paper products and staff are encouraged to use duplex printing and photocopying when possible.

- The department participates in government's Blue Bin recycling program. Bins have been installed in boardrooms, meeting rooms and all lunchrooms for empty beverage and food containers.

- Staff are involved in the procurement of stationary products and are continually encouraged to select "green" products whenever possible.

- Government-wide directives on sustainable development initiatives such as recycling papers and toner cartridges are continually enforced. Staff are encouraged to turn off lights and computers in their offices when not in use.

- The Healthy Schools initiative promotes active and safe routes to schools for health benefits and for the environment. Through Healthy Schools, the department provided funding to support programs and projects focused on the before and after school time period. The *Active and Safe Routes to School Program* and the *After the School Bell Rings Project* target children, families, and schools to encourage active travel to and from school and support school divisions and schools in the area of school travel planning.

- Through its healthy eating initiatives, the department works with partners, including the Northern Healthy Foods Initiative, Food Matters Manitoba and the Child Nutrition Council of Manitoba, to encourage use of local foods systems.

- Through the Trans Canada Trail (Manitoba) project and the Manitoba Recreational Trails Association, the department supports the development of trails throughout the province, which provides sustainable ways to get places and enjoy the outdoors.

- Through strategic investment in the addictions system and enhancements to addictions services, the well being of Manitobans is protected and opportunities for wellness are provided.

- Through the mental health and spiritual health care strategies, the department promotes mental and spiritual health of Manitobans and influences overall social well-being.

## Healthy Living and Populations

Healthy Living and Healthy Populations provides strategic direction, policy development and program planning to improve the well being and health outcomes for all Manitobans. In collaboration with other areas and partners, emphasis is placed on health promotion, prevention and early intervention activities in order to create supportive environments that make healthy choices easier and more accessible.

**The objectives were:**

- Advance healthy living strategic partnerships, by enhancing personal and community wellness, and supporting prevention and health promotion; and
- Reduce health disparities for at risk populations (Through community and interdepartmental partnerships).

**The expected and actual results for 2011/12 included:**

1. Continue further expansion of the **Manitoba *in motion*** physical activity strategy in community, school, workplace and home settings to increase physical activity levels of Manitobans.
    - More than 105 new workplaces, schools or communities registered with **Manitoba *in motion***. The program awarded 126 grants totalling more than $300,000 to help communities and workplaces throughout the province plan and implement ways to increase physical activity.
    - A new Healthy Schools ***in motion*** Geo-caching Loaner Program was developed. This program provides students with an innovative experience while being physically active.
    - An "Active Role Models. Active Kids" social marketing campaign initially launched in 2010/11 was repeated in 2011/12. The campaign encourages parents and caregivers to get more physically active, with and for, their children.
    - Developed partnerships with Manitoba organizations including CTV, Winnipeg Blue Bombers, Winnipeg Jets National Hockey League Club, and Winnipeg Goldeyes Baseball Club to further promote physical activity.
    - Provided funding to a variety of organizations, including the Physical Activity Coalition of Manitoba, Manitoba Fitness Council, Manitoba Physical Education Teachers Association, and Active Living Coalition for Older Adults Manitoba, for delivery of physical activity initiatives.
2. Facilitated outreach and engagement with immigrant communities related to healthy living initiatives.
    - Provided funding to support: Phase 3 of the Sexuality Education Resource Centre's (SERC) "Our Selves, Our Daughters (OSOD) program. This program works with African refugee women and allies in their communities to enhance educational, health and socio-cultural supports for women affected by female genital cutting (FGC), and address prevention among daughters.
3. Ongoing implementation of injury prevention initiatives in the area of cycling safety, falls prevention for seniors, farm safety, and water safety through work with inter-sectoral and community partners.
    - A Low-Cost Bicycle Helmet Initiative was established in 2006 to help young Manitobans be more active safely. In 2011/12, 610 schools and child care centres participated in the program, with 10,999 helmets ordered and 1,103 provided at no cost to families with financial barriers.
    - Continued the 30-second "Ride Safe this Summer" safer cycling tips which was completed in partnership with CTV.
    - Provided support to Osteoporosis Canada - Manitoba Chapter (OC-MC) to deliver a Bone Health Public Education Program to promote healthy bone development and maintenance to reduce the incidence of osteoporosis targeting physicians, allied health professionals, and the general public, including adolescents.

- Hosted two Manitoba Falls Prevention Network workshops to bring together provincial falls prevention partners for information-sharing and networking.
- Provided support for the falls prevention component of *SafetyAid* delivered by Age & Opportunity Inc. In 2011/12 the program expanded to south-western and south-central Manitoba, with a total of 5,052 falls prevention audits completed and 4,919 falls prevention supplies provided.
- Funded five "Creating Safe Play Areas on Farms" grants. Since 2006, 102 applications have been approved.
- Provided funding to the Manitoba Coalition for Safer Waters to further the Manitoba Drowning Prevention Strategy and approved 27 proposals for community water safety grants, totaling over $59,000.
- Continued the successful personal floatation device (PFD) loaner program in over 70 northern and remote communities that has distributed 3,332 PFD's.
- Supported water safety public awareness and education through two water safety organizations, Lifesaving Society and Red Cross Manitoba.

4. Support the development of a new Sexually Transmitted and Blood Borne Infections Provincial Strategy.
   - Co-led, with Manitoba Health, in the initial stages of development of a new Sexually Transmitted and Blood Borne Infections Provincial Strategy.

5. Implement a province-wide school healthy choices fundraising program.
   - In partnership with Peak of the Market, and the Manitoba Association of Home Economists, a Farm2School Healthy Choices school fundraiser pilot program was run in 268 schools; 613,195 pounds of produce was sold, raising $278,175 for school programs.

6. Continue further expansion of Manitoba's Healthy Schools Initiative to support school communities increasing healthy school environments.
   - In partnership with Manitoba Education and Healthy Child Manitoba, Healthy Schools provided annual funding through *Healthy Schools Community-based Funding* to school divisions and independent and First Nations schools to support them in working with their regional health authorities and partners to develop and implement Healthy Schools plans and activities.
   - Provided annual funding to schools through Healthy Schools Campaigns to undertake projects that support and increase awareness of important health and wellness issues in their school community. In 2011-2012, schools received funding for activities focused on Healthy Relationships (fall 2011) and Environmental Health (spring 2012).

7. Support communities to build environments that promote the prevention of chronic disease.
   - Healthy Together Now (HTN) continued to support 83 communities in Manitoba (including 21 First Nation communities and seven Métis communities) in implementing chronic disease prevention action plans aimed at promoting physical activity, healthy eating, smoking reduction and mental well-being.
   - Hosted a Share & Learn Conference in Winnipeg that brought together community, regional, provincial and other partners. The Share & Learn Conference provided participants an opportunity to learn, network, and share best practices.

8. Support the development of a provincial Childhood Obesity Strategy, while taking a lead role in the Pan-Canadian Strategy on Childhood Obesity.
   - The department represented Manitoba in the development of the *Curbing Childhood Obesity: Federal, Provincial and Territorial Framework for Action to Promote Healthy Weights*. Manitoba

took a "champion" or leadership role in increasing availability and accessibility of healthy foods in remote and northern areas.

- The department also co-hosted, along with the Public Health Agency of Canada, a Manitoba consultation for the *Our Health Our Future National Dialogue on Healthy Weights*. Stakeholders from many sectors shared their views on ways we can address healthy weights in children.

9. Implementation of an online health assessment tool for Manitobans.

   - In partnership with Manitoba Health and eHealth Manitoba, launched a demonstration projected of Health e-Plan in June 2011. Health e-Plan is an online health assessment tool enabling Manitobans to self-manage their health by providing the ability to manage lifestyle and health risks, set realistic goals for health improvements, and identify available resources.

10. Co-lead the development and implementation of a Provincial Bed Bug Strategy, including support to the Bed Bug Coalition.

    - The Non-Profit Community Grants Program supported 113 non-profit community-based organizations, both from rural-northern communities and Winnipeg, for bed bug education, treatment/management and prevention.
    - Approximately $190,000.00 of low-cost preventive materials were purchased through the Low-Cost Preventive Materials Program, providing qualifying organizations with access to specialized materials (e.g. mattress and box spring encasements, dissolvable laundry bags and insect monitors) to help combat bedbugs at low cost.
    - 108 applicants received support through the Bug and Scrub Social Enterprise Program to assist the most vulnerable in preparing their residence for treatment and help educate Manitobans about preventing the spread of bed bugs.
    - The Bed Bug Public Inquiry & Information Line/E-mail was introduced for public inquiry and information regarding Bed Bugs to concerned Manitobans.

11. Collaborate with school divisions, regional health authorities, disease prevention groups, and recreation and fitness organizations to facilitate partnership to support prevention and communication efforts to advance healthy living for Manitobans.

    - Implemented a Healthy Foods Action Fund to support strategic partnerships and community-based action on food security. For example, a partnership was established with Winnipeg Foundation.
    - In partnership with the Public Health Agency of Canada provided funding for after school physical activity and healthy eating projects 1) *After the School Bell Rings*, delivered by Recreation Connections Manitoba and Green Action Centre and *2) Rec and Read Mentor Programs*, delivered by University of Manitoba.
    - Contributed to the Interdepartmental Working Group on Active Transportation in implementing the Active Transportation Advisory Group *Greater Strides: Taking Action on Active Transportation* report recommendations.
    - Supported the Strengthening Families program at Mount Carmel Clinic that provides programming, training, and supports for newcomer communities to ensure their overall health and wellness.

**2(a) Healthy Living and Healthy Populations**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | Estimate 2011/12 FTE | $(000's) | Variance Over(Under) $(000's) | Expl No |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 1,111 | 13.00 | 1,174 | (63) | |
| Other Expenditures | 2,856 | | 3,472 | (616) | *1* |
| External Agencies | 3,057 | | 3,150 | (93) | |
| **Total Sub-Appropriation** | **7,024** | **13.00** | **7,796** | **(772)** | |

*1* *Reflects partial delay in the implementation of the Bed Bugs program as a result of the communications black-out leading up to the Provincial election.*

## Mental Health and Spiritual Health

Mental Health provides leadership, support and coordination to the mental health systems in Manitoba.

**The objectives were:**

- Provide direction and support toward innovation, evidence-based practice and accountability in the mental health system and spiritual health care in Manitoba.
- Reduce health disparities and advance mental wellness.

**The expected and actual results for 2011/12 included:**

1. Strong collaboration with a diverse range of stakeholders in policy and program development and in the implementation of provincial strategies.
    - The Mental Health and Spiritual Health Care Branch has worked with stakeholders to develop a five-year provincial mental health strategic plan. Launched on June 29, 2011, "Rising to the Challenge" is comprised of strategic actions to lead Manitoba toward its vision that "All Manitobans experience their optimal level of mental health and well-being." The branch led a process to develop a Provincial Spiritual Health Care Strategy. A first draft of the provincial spiritual health care strategic plan has been developed and is being vetted by stakeholders.
    - The Provincial Guideline for Core Competencies in Spiritual Health Care was distributed for use in the regional health authorities.
    - Manitoba hosted an invitational Mental Health Summit in Winnipeg on February 15-16, 2012. The theme was Mental Health Promotion and "Mental Illness Prevention for All" and was attended by 300 senior officials from across Canada, with cross-sectoral representation from all jurisdictions.

2. Evidence-based policies for the health sector that reflects concerns of priority populations.
    - Health Living, Seniors and Consumer Affairs continued its participation on the Trauma Planning Leadership Committee, whose goal includes increasing capacity and awareness to better respond to the needs of people affected by trauma.
    - The department continues to work with the Winnipeg Regional Health Authority (WRHA) on the creation of a Community Mental Health Crisis Response Centre in Winnipeg to provide specialized mental health crisis resources.
    - The department continued its work with the Manitoba Justice in developing a model for Mental Health Court for individuals in contact with the law whose mental health issues are the likely cause of their criminal behaviour.
    - The department is working with stakeholders to develop guidelines for the admission and discharge of individuals accessing psychiatric beds outside of their home RHA.
    - In collaboration with stakeholders, the department is reviewing options to increase access in regions to timely urgent/emergent psychiatric assessment.

3. Promotion of co-occurring disorders services.
    - The department continued working with RHAs, addictions system partners and other stakeholders to increase system capacity to provide treatment to individuals with co-occurring mental health and substance use disorders including planning for a summer institute and the development of electronic training modules.

4. Program excellence and fiscal accountability of provincially-funded mental health programs and services.
    - To ensure strong service delivery and fiscal accountability, the department continued working with mental health service agencies contracted to provide mental health programs and services to Manitobans, such as peer support and public education.

5. Improved access to mental health services for youth with a focus on Aboriginal youth.
   - The department continued its work with the Burntwood RHA to develop a Northern Youth Crisis Service which is being planned as a six-bed facility for youth requiring mental health and/or addictions stabilization.

6. Enhanced protective factors and reduced modifiable risk factors with respect to suicide prevention.
   - In collaboration with RHAs and other external stakeholders, Healthy Living, Seniors and Consumer Affairs completed its third full year of implementation of the initiatives of the Youth Suicide Prevention Strategy with a focus on Aboriginal youth. Funding under the strategy continued to support regional youth suicide prevention subcommittees, as well as community-based evidence-informed prevention programs such as: Communities that Care; Winnipeg Aboriginal Sport Achievement Centre North; Roots and Seeds of Empathy; Mental Health First Aid; Teen Talk North; enhanced telehealth capacity for child and adolescent mental health consultation to the North; enhanced training for community child and adolescent mental health clinicians in the North; discharge protocols and resources; trauma training for service providers; and bereavement support.
   - The department worked with stakeholders to disseminate guidelines for public awareness and education related to suicide prevention.
   - The department continues to co-lead the Provincial Suicide Prevention Leadership Committee, an interdepartmental committee aimed at reducing suicide among adults and older adults through policy and program recommendations. The committee began work in restriction of means to suicide and the improved assessment of suicide risk among patients.

7. Continued work with service provider systems towards integration of psycho-social considerations into broader emergency management planning.
   - Four regional time-limited cross-sectoral recovery teams were created to support the psychosocial recovery of individuals, families, and communities who have been affected by the flood in 2011. Teams consist of three members, two hired by Regional Health Authorities (one mental health, one public health), and one hired by MAFRI (agribusiness/finance specialists). Teams are struck for: Interlake, Central, Parkland and Assiniboine/Brandon regions as these were the areas most impacted.
   - The branch continued to work collaboratively with the Provincial Mental Health Management Network of the RHAs and the Non-Government Organizations (NGOs) to assist Manitobans with mitigating, preparing for, responding to, and recovering from the psychosocial impacts of flood.
   - The department continues to develop a framework to integrate psycho-social considerations into broader emergency management planning.

**2(b) Mental Health and Spiritual Health**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 662 | 9.00 | 675 | (13) | |
| Other Expenditures | 1,421 | | 2,399 | (978) | *1* |
| External Agencies | 2,425 | | 2,434 | (9) | |
| **Total Sub-Appropriation** | **4,508** | **9.00** | **5,508** | **(1,000)** | |

*1* *Reflects the lower than anticipated costs for the Mental Health Court and the Provincial Eating Disorders Prevention programs.*

## Tobacco Control and Cessation

Tobacco Control and Cessation implements the provincial tobacco control strategy with the goals of preventing youth from starting to smoke, protecting non-smokers from exposure to second-hand smoke, helping smokers quit and denormalizing tobacco use.

**The objectives were:**

Implement evidence-based programs, legislation, policies and projects in partnership with stakeholder organizations that:

- support Manitobans in reducing tobacco use and prevent youth from starting to smoke through enhanced enforcement of legislation, school based programs and cessation counselling services.
- enhance collaboration with stakeholders and other sectors that can assist with reducing tobacco use through increased access to supports and services.
- focus efforts on partnering with organizations working with vulnerable populations who are most at risk for using tobacco to provide cessation training and supports for staff and clients.
- undertake innovative initiatives that reach the remaining 20 per cent of Manitobans who smoke and reduce the health disparity between smokers and non-smokers.
- support litigation against tobacco product manufacturers to recover health care costs expended as a result of tobacco use (Through the Tobacco Damages and Health Care Cost Recovery Act, and in collaboration with other jurisdictions).

**The expected and actual results for 2011/12 included:**

1. Support is provided to Manitobans to reduce tobacco use and prevent youth from starting to smoke through enhanced enforcement of legislation, school-based programs and cessation counseling services.

    - Enhanced enforcement of the Non-Smokers Health Protection Act provisions prohibiting the sale of tobacco products to minors and restricting the display, advertising and promotion of tobacco and tobacco-related products. Through joint enforcement operations with Health Canada focusing on the sale of single cigarettes, 661 compliance checks were conducted, 32 charges were laid and 24 warnings were issued.
    - Expansion of the Students Working Against Tobacco (SWAT) program in Manitoba schools. Twenty-two SWAT teams have been established with plans for expansion in the north. The 'Train the trainer' model was initiated to support further expansion enabling youth to take a leadership role in promoting reduced uptake of smoking among their peers .
    - Continued provision of the Review & Rate program to all Manitoba schools with grades 6-12. For the eighth year in a row this effective media-based education program saw 18,422 students participate and 650 teachers complete evaluations indicating they want to run the program again next year.
    - Continued provision of the Not On Tobacco (NOT) program, a teen smoking cessation program offered in Manitoba schools to equip youth with the information, skills and motivation to quit smoking. Approximately 20 per cent of the students participating in this program quit or cut down on their smoking.
    - Continued provision of funding for the Smokers Helpline. A free smoking cessation counselling service was available to Manitobans. In 2011/12, 1,200 contacts were made through the Smokers Helpline.

2. Enhance collaboration with stakeholders and other sectors that can assist with reducing tobacco use through increased access to supports and services.

   - The addition of smoking cessation aid Champix to the provincial Drug Formulary reduced the cost barrier to quitting for many and provides greater access to proven smoking cessation aids.
   - Collaborated with Health Canada on implementation of a 1-800 number on cigarette packaging and continued support for the Smokers Helpline in order to handle increased call volumes.

3. Focus efforts on partnering with organizations working with vulnerable populations who are most at risk of using tobacco to provide cessation training and supports for staff and clients.

   - The Manitoba Tobacco Reduction Alliance (MANTRA) was provided with $140.0 in funding to undertake a pilot project to support smoking cessation among vulnerable populations. Four agencies working with vulnerable people (Healthy Child – Healthy Start for Mom and Me, The Addictions Foundation of Manitoba, the Canadian Mental Health Association and the North End Wellness Centre) have participated by having staff trained in cessation counselling sessions.

4. Undertake innovative initiatives that reach the remaining 20 per cent of Manitobans who smoke and reduce the health disparity between smokers and non-smokers.

   - Expanded the MANTRA pilot project to include populations served by agencies such as Siloam Mission and the Immigrant and Refugee Community of Manitoba.
   - Engaged the Lung Association of Manitoba to run a 'Quit and Win' contest encouraging Manitobans to quit smoking for a month and be eligible for cash prizes.

5. Through the Tobacco Damages and Health Care Cost Recovery Act, and in collaboration with Manitoba Justice, Manitoba Health, and other jurisdictions, launch litigation against tobacco product manufacturers to recover health care costs expended as a result of tobacco use.

   - Contribute to developments in the area of litigation against tobacco manufacturers to recover health care costs attributable to tobacco use.
   - Continue to collaborate with other Canadian jurisdictions to enhance and support litigation efforts while controlling costs.

**2(c) Tobacco Initiatives**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 226 | 3.00 | 230 | (4) | |
| Other Expenditures | 702 | | 702 | - | |
| External Agencies | 166 | | 166 | - | |
| **Total Sub-Appropriation** | **1,094** | **3.00** | **1,098** | **(4)** | |

## Addictions Policy and Support

The Addictions Policy and Support Branch provides leadership and direction on provincial policy development, planning and advice in the area of problematic substance use. The branch manages relations with, and deliverables of, addictions agencies including the Addictions Foundation of Manitoba (AFM), funded by the department.

The branch chairs a network comprised of addictions service providers that represent the full continuum of care. The Addictions Agency Network provides opportunities to share information, collaborate on new initiatives and recommend system changes through a client-centered service provision lens. The network is comprised of representation from 16 agencies, including the Addictions Foundation of Manitoba. The Addictions Foundation of Manitoba's Board of Governors is selected by the government, is governed through legislation and submits an annual report that is tabled in the Legislature.

**The objectives were:**

Work collaboratively with addictions programs across the province to:

- Advance the objectives of Manitoba's Five Point Strategy "Breaking the Chains of Addictions."
    1. Build a better system.
    2. Enhance the continuum of services and increase residential treatment capacity.
    3. Improve service access and the ability of clients to receive the right service in the right place at the right time.
    4. Build community-based treatment capacity.
    5. Develop the provincial research function.
- Collaborate on the development of strategies and policies across a continuum from prevention to tertiary care.
- Provide information, advice and recommendations that support effective planning and decision making.
- Identify emerging issues and best practices related to addictions.
- Develop and support practices that enhance system accountability.

Continue to work with stakeholders to implement system changes and service enhancements through Health Canada's Drug Treatment Funding Program (DTFP).

**The expected and actual results for 2011/12 included:**

1. Strategies to strengthen collaboration and information sharing across the provincially funded addictions agencies to further develop the addictions system.
    - The Addictions Policy and Support Branch continued to work toward shared policy and program outcomes and long term planning with the provincially funded addictions agencies.
    - The Addictions Agency Network (comprised of representatives from each funded agency and the Addictions Policy and Support Branch) continued to meet regularly.
    - The Addictions Policy and Support Branch led a new working group comprised of addictions agencies and department staff to inform development and plan implementation of a centralized intake system for provincially funded agencies through the Drug Treatment Funding Program. The branch also led a working group comprised of addictions stakeholders and department representatives to address policy and protocol for special populations.
    - The branch made regular site visits to agencies.
2. Enhanced the continuum of services and increase residential treatment capacity.
    - The Addictions Policy and Support Branch, in partnership with addictions agencies, identified areas to enhance services. With the addition of new treatment beds in 2010/2011, the branch

continued to monitor the impact of the bed increase and evaluate opportunities for other potential enhancements.

- Through DTFP, the branch, along with relevant stakeholders, developed plans to increase street-level outreach in Winnipeg and Thompson, increase addictions training for individuals working with youth in multiple sectors, and provide prevention and early intervention materials in First nations schools.

3. Improved access to addictions services in Manitoba.

   - Through the Addictions Agency Network, agencies have the opportunity to work together, cross refer, exchange knowledge, share materials and resources and provide support. Because agencies are working together, program awareness and service access improved.
   - Through DTFP, the Addictions Policy and Support Branch, in consultation with stakeholders, developed a plan for a Manitoba Knowledge Exchange Network.
   - Planning continues for further system and service enhancements. Through DTFP, the development of a common intake and screening process is underway, with anticipation of a pilot in fall 2012. Phase one of the central intake and screening began with a pilot of a central information 1-800 number.

4. Evidence-based policies for addictions programs.

   - Provided direction to funded addictions agencies regarding outcomes, performance measures and strategic planning. Updated Services Purchase Agreements to reflect an evidence-based direction.
   - Through DTFP, the development of a common reporting database and common performance measurement indicators is underway.

5. Improved integration of addictions and mental health services at both the service and policy level.

   - Healthy Living, Seniors and Consumer Affairs has representation on the Provincial Co-occurring Disorders Leadership Team to ensure integration continues and objectives of the Co-occurring Disorders Initiative are met.
   - The Addictions Policy and Support Branch participates in the Mental Health Managers Network meetings to collaborate and share information of initiatives related to co-occurring disorders.
   - Through DTFP, the development of a provincial knowledge exchange network is underway. This process will assist with and integration and knowledge transfer gaps between addictions and mental health.

**2(d) Addictions Policy and Support**

| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
|---|---|---|---|---|---|
| Salaries and Employee Benefits | 296 | 3.00 | 286 | 10 | |
| Other Expenditures | 755 | | 62 | 693 | *1* |
| External Agencies | 8,339 | | 8,338 | 1 | |
| **Total Sub-Appropriation** | **9,390** | **3.00** | **8,686** | **704** | |

*1* *Reflects expenditures under the Drug Treatment Funding Program (DTFP) which were 100% recovered from the Government of Canada.*

## Addictions Foundation of Manitoba

The Addictions Foundation of Manitoba (AFM) is a Crown Agency whose Board of Governors is appointed by the Minister of Healthy Living, Seniors and Consumer Affairs. AFM's mission is to enhance the health of Manitobans by reducing the harm of alcohol, other drugs and gambling through prevention, education and treatment.

**Objective:**

- To enhance the health of Manitobans by reducing the harm of alcohol, drugs and gambling through education, prevention and treatment.

**Activity Identification:**

- Strengthening AFM's core business
- Fostering a healthy, safe, vibrant work environment
- Progressing as leaders in the addiction field
- Demonstrating accountability and achieving sustainability

**The Expected and Actual Results for 2011/2012 included:**

1. Strengthening AFM's core business:
   - Enhanced focus on prevention and education, core messaging and planned expansion.
   - Strengthened and affirmed the commitment to client-centred services, and collaboration with other health sectors.

2. Fostering a healthy, safe, vibrant work environment:
   - Promotion of staff growth and development, a diverse, sensitive and accommodating workplace and application of safe and respectful workplace policies

3. Progressing as leaders in the addiction field:
   - Enhanced training, provincial and national participation and partnerships.
   - Leading the first Manitoba Knowledge Exchange Initiative

4. Demonstrating accountability and achieving sustainability:
   - Continued Accreditation with Accreditation Canada.
   - New strategic planning process, new ethical decision-making framework.
   - Upgrading IT infrastructure to enable/sustain modern business practices and enhance reporting.
   - Launched a provincial adult addictions information and resource phone line.
   - Participating in Manitoba's addictions systems enhancement projects.
   - Program development and improvement guided by outcomes and best practice.
   - Reviewed and revised/clarified AFM's committee and decision-making structure to find efficiencies and enhance effectiveness.

(For more detail, AFM produces an Annual Report that is tabled in the Legislature.)

## Seniors and Healthy Aging Secretariat

The Seniors and Healthy Aging Secretariat works with all departments to create an environment within Manitoba that promotes the health, independence and well-being of all Manitoba seniors.

The secretariat provides support to the Minister to ensure the needs and concerns of seniors are reflected through a coordinated and comprehensive framework of legislation, public policy and programs.

**The objectives were:**

- Maintain or improve the quality of life of Manitoba seniors through supportive and accessible environments and responsive programs and services.
- Improve the safety and security of older Manitobans.
- Improve communication with the public, including access to information.

**The expected and actual results for 2011/12 included:**

1. Maintain or improve the quality of life of Manitoba seniors through supportive and accessible environments and responsive programs and services.
    - Provided ongoing leadership within government to respond to the challenges and opportunities of Manitoba's aging population, taking into account promising practices from across the country.
    - Provided leadership to the Age-Friendly Manitoba Initiative (AFMI) supporting age-friendly communities to develop and implement age-friendly programs, policies, and services. The Secretariat hosted an age-friendly orientation in December 2011 and welcomed 13 new age-friendly communities. Since its launch in 2008, 85 communities have been enlisted in the Age-Friendly Manitoba Initiative.
    - Adopted the Age-Friendly Milestones which added rigor, offered incentive, and provided the communities with an opportunity to achieve public recognition for their efforts. The milestones were developed by the Public Health Agency of Canada (PHAC) together with other provinces including representation from Manitoba.
    - Continued to partner with the University of Manitoba Centre on Aging to support age-friendly communities in Manitoba and provide leadership to the national and international age-friendly movement, including a partnership to host an International Symposium on Age-Friendly Rural and Remote Communities.
    - Funded and supported the Active Living Coalition of Older Adults in Manitoba (ALCOA-MB) and their peer-led speakers bureau and programs for older adults. In addition, the Secretariat supported ALCOA-MB in their transition to become the lead organization in implementing and promoting the Manitoba 55Plus Games.
    - Increased the participation and leadership roles of seniors by recruiting and supporting their involvement on the Seniors' and Elders' Day Community Planning Committee, including the Committee Co-Chairs.
    - Funded and consulted with the Transportation Options Network for Seniors (T.O.N.S) in Manitoba to collaborate with seniors, senior serving organizations, business and all levels of government to address the complex issue of seniors' transportation and enhance transportation options for seniors.
    - Provided research and administrative support to the Manitoba Council on Aging.
    - Liaised with Federal/Provincial/Territorial officials regarding inter-jurisdictional seniors' issues, and participated in joint initiatives arising from Federal/Provincial/Territorial meetings of Seniors' officials.

- Increased awareness and recognition of the valuable contributions of informal caregivers through the development of the Caregiver Recognition Act; by planning for the first Caregiver Recognition Day; establishing a Caregiver Advisory Committee; and beginning consultations with caregivers and other key stakeholders on caregiver issues.
- Partnered with key senior serving organizations in capacity building projects that promote Age-Friendly Manitoba Initiatives. For example, the secretariat partnered with:
    - Good Neighbours Active Living Centre to develop and implement the Older Workers Pilot Project - The project will provide employment opportunities for older adults while providing a home-related service (cleaning, yard work, maintenance, repairs) to other older adults living in the community.
    - Manitoba Chambers of Commerce (MCC) for the development and pilot of Manitoba Age-Friendly Business Criteria.
    - Rural Development Institute, University of Brandon, to identify a strategy for introducing age-friendly to the Aboriginal Communities.

2. Improve the safety and security of older Manitobans.
    - Provided staff support to the Manitoba Elder Abuse Network and World Elder Abuse Awareness Day.
    - Conducted outreach and gave presentations to enhance awareness of elder abuse and support services.
    - Continued to partner with Klinic Community Health Action Centre and Age & Opportunity to deliver a 24-hour, 7-day a week Senior Abuse Support Line.
    - Supported and increased participation in the Provincial Elder Abuse Network, improving the capacity to prevent and intervene in situations of abuse.
    - Supported community groups in delivering the Police Academy: Older Adults Division Initiative, that provide older adults with information about safety and security issues and available programs and services for issues such as Elder Abuse.
    - Continued to work collaboratively within government to support Age & Opportunity's Safe Suite Program (temporary, free housing for older adults, who are in need of a safe place to stay due to abuse or neglect).
    - Consulted with key stakeholders regarding Adult Protection Legislation. The information collected will inform discussions around the potential development of adult protection legislation in Manitoba.

3. Improve communication with the public, including access to information.
    - Provided a central source of information, referral and support to seniors, their families, and senior serving organizations on programs and services through the: Seniors Information Line, the Seniors and Healthy Aging Secretariat website, Manitoba Seniors Guide, Profile of Manitoba Seniors, and other publications.
    - Updated and re-printed the Manitoba Seniors Guide, the Guide for the Caregiver, elder abuse publications, and the Age-Friendly Manitoba booklet.
    - Provided leadership and encouraged participation in Seniors' and Elders' Month events to celebrate the ongoing contributions of older Manitobans and to address ageism in our society.

| 3(a) Seniors and Healthy Aging | | | | | |
|---|---|---|---|---|---|
| Expenditures by Sub-Appropriation | Actual 2011/12 $(000's) | FTE | Estimate 2011/12 $(000's) | Variance Over(Under) $(000's) | Expl. No. |
| Salaries and Employee Benefits | 715 | 10.00 | 701 | 4 | |
| Other Expenditures | 279 | | 295 | (16) | |
| External Agencies | 686 | | 713 | (27) | |
| **Total Sub-Appropriation** | **1,680** | **10.00** | **1,709** | **(29)** | |

## Manitoba Council on Aging (MCA)

The Manitoba Council on Aging (MCA) is an advisory body to the Minister of Healthy Living, Seniors and Consumer Affairs whose work ensures that a senior's perspective is reflected in government policies and programs.

**The objectives were:**

- Provide the Minister of Healthy Living, Seniors and Consumer Affairs with information and advice about:
    i. the aging process and its implications for all age groups in Manitoba;
    ii. programs, services, policies and legislation that relate to the aging process and the needs and interests of older Manitobans.
- Promote awareness of the aging process and its implications for all age groups in Manitoba.

**The expected and actual results for 2011/12 included:**

1. Provide the Minister of Healthy Living, Seniors and Consumer Affairs with information and advice.
    - Met regularly with the Minister of Healthy Living, Seniors and Consumer Affairs to discuss emerging issues of importance to Manitoba seniors that impact government policy and programs.
    - Facilitated five meetings in 2010/11 which were held in Winnipeg as well as in rural Manitoba. Meetings provided opportunities for Council and community members to provide perspectives on issues, challenges and opportunities facing older Manitobans.
    - The MCA's three subcommittees continued to meet to address specific issues in health, community living, safety and security. The MCA's ad hoc committee on intergenerational relationships also continued to meet. Committees developed discussion material about a number of issues which provided perspectives and advice to the Minister.
2. Promote awareness of the aging process and its implications for all age groups in Manitoba.
    - Organized the Manitoba Council on Aging Recognition Awards, which celebrates individuals who make significant contributions to seniors living in the community, showcases seniors themselves who continue to contribute to their community in a variety of ways, and recognizes groups and activities that promote intergenerational relationships.
    - Collaborated with the Seniors and Healthy Aging Secretariat to update and reformat the 2012 Manitoba Seniors' Guide.
    - Staffed an information booth at conferences and community events. MCA members participated in seven events in 2011/12, providing information to attendees about resources and programs available to older adults.

## Consumer and Corporate Affairs

### Divisional Goals

- To contribute to a healthy Manitoba economy by creating certainty in the marketplace through the administration of a legal and policy framework within which consumers, tenants, landlords, non-profit organizations and businesses can operate.
- To maintain registries of information for the protection of individual and property rights.
- To assist consumers and businesses, tenants and landlords in resolving their disputes.
- To provide quality service through the responsible use of fiscal resources.
- To collect fee and tax revenue.
- To promote and enhance consumer and business knowledge and skills.
- To anticipate, identify and monitor marketplace issues and recommend appropriate action.

### Divisional Responsibilities

The Consumer and Corporate Affairs Division facilitates the resolution of disputes between consumers and businesses, tenants and landlords, and hears and assists claimants with appeals of Manitoba Public Insurance Corporation decisions related to bodily injury claims. The division also administers legislation for incorporation and registration of businesses, maintains registries of vital events and of interests in land and personal property, and administers the province's rent regulation program. (Separate annual reports are issued by Vital Statistics, Companies Office and The Property Registry.)

## Administration and Research

Administration and Research is comprised of two units; the Assistant Deputy Minister's office and Research and Planning.

### Objectives

- To provide advice and support to the Minister and Deputy Minister on issues related to the division.
- To provide leadership to the division.
- To provide divisional financial management services in accordance with governing legislation and established financial administration policies and procedures.
- To provide policy development and research services as required.

### Responsibilities

- Provides overall direction to the Consumer and Corporate Affairs Division.
- Assesses the need for new or amended legislation and co-ordinates the development of legislation and other responses to marketplace problems.
- Investigates marketplace issues and assesses alternative responses to them.
- Provides support for the division's financial systems and budget processes.

## Activities/Highlights in 2011/12

- Supported the Minister in connection with continued implementation of a five-year consumer protection plan, *Let's Make a Better Deal*[tm] and the introduction of Bills in the Legislature, including: *The Change of Name Act; The Consumer Protection Amendment Act (Cell Phone Contracts); The Grieving Families Protection Act; The Condominium Act* and Amendments Respecting Conversions (Various Acts Amended); and *The Real Property Act.*
- Policy work undertaken:
    - Preparation of a consultation paper about warranty protection for new homes, and analysis of the results.
    - Development of regulations for the new *Condominium Act*, including consultation.
    - Provision of information about various issues regarding rental housing in conjunction with the Residential Tenancies Branch.
    - Consultation with stakeholders about developing various aspects of home warranty legislation and provided policy advice on warranty provider qualifications.

**4(a) Administration and Research**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 452 | 6.88 | 486 | (34) | |
| Total Other Expenditures | 345 | | 219 | 126 | |

# Consumer Protection Office

## Objectives

- To investigate consumer complaints and attempt to resolve disputes between consumers and businesses.
- To take action as appropriate to enforce legislation.
- To license/register/grant certifications or authorizations to vendors and individuals engaged in direct selling, collection agencies and collectors, hearing aid dealers, charitable fundraisers and manufacturers or renovators of stuffed articles.
- To inform and educate consumers, businesses, service groups, consumer groups and student organizations regarding their rights and responsibilities as well as potential risks in the marketplace.
- To develop and administer consumer protection legislation for Manitobans.
- To consult on current issues with other departments, agencies and organizations in Manitoba, Canada and other countries.

## Responsibilities

The Consumer Protection Office functions fall into six main areas:

- Investigation and dispute resolution
- Licensing and registration
- Special investigations
- Information/education
- Administration/legislative review
- Oversight and management of the Financial Literacy Fund

**4(b) Consumer Protection Office**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 1,239 | 19.00 | 1,345 | (106) | |
| Total Other Expenditures | 318 | | 246 | 72 | |
| Total Grants | 177 | | 150 | 27 | |

## Activities/Highlights in 2011/12

### Investigation and Dispute Resolution

The Consumer Protection Office responded to requests for information, advice and assistance as follows:

- Over 17,100 new calls or email messages and over 608 in-person inquiries were received. These include businesses who contacted the Consumer Protection Office to determine their obligations under the legislation, and consumers who sought information or assistance with a specific situation.
- 1,085 formal written complaints were handled, with automotive and payday lender complaints registering the highest numbers. 96 files were carried over from the previous year.
- Approximately $214,455 in cash settlements or adjustments were obtained for consumers.

**ANALYSIS OF COMPLAINTS**

| Complaint Type | 2011/12 | 2010/11 |
|---|---|---|
| Automotive | 158 | 145 |
| Payday Lender | 134 | 135 |
| Electronic Sales, Service and Manufacturing (including cellular phones) | 115 | 118 |
| Home Improvements | 95 | 120 |
| Home Furnishings / Accessories | 68 | 37 |
| Collections | 56 | 92 |
| Personal Goods and Service | 51 | 46 |
| Direct Sales | 35 | 34 |
| Hearing Aid | 29 | 11 |
| Other[1] | 334 | 344 |
| **Total** | **1,085** | **1,082** |

[1] Other complaints include retail sales, prepaid purchase cards, credit cards, bedding and stuffed articles, phishing and other scams, professional services, charitable organizations, travel, credit reporting agencies and internet transactions.

### Licensing and Registration

*The Consumer Protection Act* regulates payday lenders, vendors and direct sellers, collection agents and collectors through licensing and bonding requirements. Additionally, licences are issued to hearing aid dealers, registrations are issued to manufacturers and renovators of stuffed articles, and authorizations are granted to charitable fundraisers.

- 9,060 licences, registrations and authorizations were issued in 2011/12.
- Staff conducted licensing inspections at a number of trade shows, fairs and exhibitions.

**LICENCES, REGISTRATIONS AND AUTHORIZATIONS**

| Type | 2011/12 | 2010/11 |
|---|---|---|
| Collection Agent | 66 | 69 |
| Collectors | 3,666 | 3,920 |
| Vendors | 173 | 175 |
| Direct Seller | 2,067 | 2,487 |
| Hearing Aid Dealers | 71 | 68 |
| BOUSA[1] | 2,573 | 2,344 |
| Charities Authorized | 393 | 473 |
| Payday Lenders[2] | 51 | 85 |
| **Total** | **9,060** | **9,621** |

[1] Bedding and Other Upholstered and Stuffed Articles

### Special Investigations

While voluntary compliance with statutes is often obtained through mediation, there are instances where investigations of breaches of the various Acts are necessary. Following investigation, some matters are referred to Manitoba Justice for prosecution or for other court action as appropriate. The Crown may also seek redress in court for consumers who have been victimized. As alternatives to prosecution, investigations may result in obtaining assurances of voluntary compliance, orders to freeze assets, or injunctions prohibiting certain actions.

In 2011/12, the Consumer Protection Office forwarded 16 matters concerning four companies and proprietors to Manitoba Justice for consideration. A total of 16 charges were laid under *The Consumer Protection Act* and *The Business Practices Act* during the 2011/12 fiscal year.

### Information/Education

The information/educational activities of the Consumer Protection Office fall into formal and informal categories. Many of the calls and emails received are from businesses or consumers who are looking for information regarding their respective rights and obligations. This informal information sharing is typically accompanied by sending out written material, directing the caller to the Consumer Protection Office website, or directing them to other agencies that may be able to assist with related issues. Formal presentations and outreach activities are also important functions. In 2011/12, staff made 21 presentations to more than 700 people including members of consumer groups, seniors, students, and agencies. Topics included the role of the Consumer Protection Office, consumer protection legislation, the rights and responsibilities of consumers and businesses, identity theft, and scams.

- The Consumer Protection Office, in partnership with other departments and organizations, completed a consumer tips calendar for distribution to consumers.
- News releases continued to be used as a proactive measure. News releases contained timely information about current issues in the marketplace. They informed consumers and businesses of: their rights and responsibilities; new legislation; marketplace issues; and offered information about steps to prevent problems.

**Administration/Legislative Review**

The administration/legislative review program effectively manages the internal operation of the Consumer Protection Office, including the management of financial and human resources. All staff participate in the business planning, policy reviews and legislative reviews of the Acts administered.

- The Consumer Protection Office continued to move forward with the initiatives outlined in *Let's Make a Better Deal*[tm], the provincial five-year plan for stronger protection that was introduced on May 11, 2010. The plan is based on fair business practices for consumers and businesses; remedies that are fair, timely, and accessible; consumer education that supports knowledge and skill development to inform decision-making; and a balanced approach that protects consumers but does not stifle business creativity.
- On May 16, 2011, amendments to *The Consumer Protection Act* were passed to improve the fairness and clarity of cell phone contracts. The amendments include protective measures such as allowing consumers to cancel contracts before the end of term, prohibiting unreasonable cancellation fees, limiting automatic renewals, and prohibiting unilateral amendments that do not favour the consumer. Work and consultation on accompanying regulations followed.
- The Motor Vehicle Information Disclosure Regulation came into force on December 31, 2011. This regulation of *The Business Practices Act* requires disclosure of information about the history and condition of the vehicle to consumers when they purchase or lease a vehicle.
- Amendments to *The Consumer Protection Act* regulation came into force on February 15, 2012 to address the fees charged by debt settlement agencies. The regulation bans upfront charges, sets maximum fees, and only permits a fee to be charged if the creditor and debtor reach an agreement about reduced payment.
- Legislation was passed in June 2011 to proclaim March 15th of each year as "Consumer Rights Day". The day recognizes the importance of protecting consumers and ensuring the rules governing consumer transactions are fair and reasonable.
- In July 2011, amendments to The Payday Loans Regulation of *The Consumer Protection Act* came into force. The changes clarified that licensed payday lenders may not assist unlicensed payday lenders to offer, arrange or provide a payday loan in Manitoba.
- The Consumer Protection Office released two public consultation papers: *Improving Consumer Protection for Vehicle Repairs*; and *Improving Consumer Protection in the Travel Industry*. Feedback from consumers and industry is being used to help develop consumer protection legislation in these areas.
- Staff participated in the Federal/Provincial/Territorial Consumer Measures Committee to improve the marketplace for Canadian consumers through the harmonization of laws, regulations and practices, and through actions to raise public awareness. Topics of discussion in 2011/12 included travel industry regulation and compensation funds, fair contracts, and prepaid purchase cards.

**Financial Literacy Fund**

In February 2011, the Province of Manitoba established the Payday Borrowers' Financial Literacy Fund. All payday lenders that are licensed in Manitoba pay an annual levy of $500 for each licensed location. The fund is used to provide borrowers and potential borrowers with information to help them make sound financial decisions.

In 2011/12, grants from the fund were used to support a conference on affordable and appropriate community-based lending alternatives, and to begin research on financial literacy needs in Manitoba.

| FINANCIAL LITERACY FUND | | |
|---|---|---|
| | **2011/12** | **2010/11** |
| Revenue | $25.5[1] | $42.5 |
| Grants | $11.5 | $ 0.0 |
| Funds remaining on March 31 | $56.5 | $42.5 |

[1] The levies of 26 licenses are being held and have not yet been deposited while licensing renewal decisions are being made.

# *FIVE-YEAR CONSUMER PROTECTION STRATEGY*
## Progress Report to March 31, 2012

On May 11, 2010, the Manitoba government embarked upon *Let's Make a Better Deal™*, the provincial five-year plan for stronger consumer protection. The plan is based on fair business practices for consumers and businesses; remedies that are fair, timely, and accessible; consumer education that supports knowledge and skill development to inform decision-making; and a balanced approach that protects consumers but does not stifle business creativity. This plan is being led by the Consumer Protection Office. Other areas are also responsible for specific initiatives.

| Initiative | Progress |
|---|---|
| **Homes and Real Estate** | |
| **Enhanced Real Estate Fraud Protection** | *The Real Property Amendment Act*, passed in June 2011, provides better protection for property owners and lenders and reduces risk of real estate fraud. |
| **New Home Warranty** | The Manitoba Government has been consulting with consumers and industry with the goal of developing a mandatory new home warranty to cover construction defects on new homes. |
| **Condominium Owner Protection** | *The Condominium Act and Amendments Respecting Condominium Conversions (Various Acts Amended) Act* was passed in June 2011. Regulations are currently being developed. |
| **Real Estate Condition Disclosure** | On August 1, 2011, a new version of the residential offer to purchase became effective that requires the seller to provide a property condition statement, which will improve transparency in real estate transactions. |
| **Tenants and Landlords** | |
| **Independent Advisor** | The Independent Advisor was established in the fall of 2010 as a three-year pilot project to help guide tenants and landlords through the hearing |

| | |
|---|---|
| | and dispute resolution process. This advisor office assists with information or guidance and is available at the Residential Tenancies Branch before hearings, by appointment or on a drop-in basis. The advisor is also available to assist people who are involved with appeals at the Residential Tenancies Commission. The program was expanded to include services to landlords with smaller property portfolios in August, 2011. |
| **User-Friendly forms for tenants and landlords** | Most forms under *The Residential Tenancies Act* were changed to include more information and use plain language. |
| **Tenant Moving Expense Coverage** | Landlords are now required to pay up to $500 of moving expense when a tenant must move because the landlord wants to live in the rental unit or do renovations that cannot be done while the unit is occupied. |
| **Automotive** | |
| **Motor Vehicle Information Disclosure** | The Motor Vehicle Information Disclosure Regulation enabled under *The Business Practices Act* came into force on December 31, 2011. Both new and used motor vehicle dealers in Manitoba must now disclose to consumers a wide range of information about a motor vehicle's history and condition, both orally and in writing. |
| **Public Disclosure of Non-Compliant Dealers** | As of June 17, 2010 Manitoba Public Insurance publishes the names and locations of individuals and businesses that have received administrative sanctions under *The Drivers and Vehicles Act* from the Registrar of Motor Vehicles. |
| **Motor Vehicle Repair Protection** | The Consumer Protection Office issued a consultation paper in June 2011 to seek feedback on consumer protection related to vehicle repairs. The stakeholder feedback was analyzed, with the goal of developing new rules to ensure fairness and that address the use of estimates, customer authorization, and mandatory warranty on parts and labour. |
| **Financial** | |
| **Payday Loan Protection** | Consumer Protection Office staff members conducted inspections of payday lenders to observe lending practices, identified breaches, worked with companies towards compliance, and educated consumers about the new legislation. |
| **Reviews of Limits on Government Cheque Cashing Fees** | The Public Utilities Board reviewed the maximum rates that can be charged to cash a government cheque and ordered that the rates remain unchanged. |
| **Payday Lenders Financial Literacy Fund** | In February 2011, the Payday Borrowers' Financial Literacy Fund was established. All payday lenders that are licensed in Manitoba pay an annual levy of $500 for each licensed location. The fund supports financial literacy initiatives that help consumers obtain the necessary skills, knowledge and information to make better financial choices. |
| **Debt Management Help** | Amendments to *The Consumer Protection Act* regulation were made in February 2012 to protect Manitoba consumers from unfair business practices by debt settlement agencies, by banning upfront charges and setting maximum fees. |
| **Financially Surviving Domestic Violence** | The Consumer Protection Office released a guide in June 2011 for survivors of domestic violence. The guide identifies steps to take and resources available to help survivors get on their feet and manage their money. |

| Identity Theft Protection | |
|---|---|
| **Security Alerts: Identity Theft Protection** | Legislation came into effect January 31, 2011 that provides stronger protection against identity theft. These changes to *The Personal Investigations Act* allow a consumer who believes their credit information has been compromised to tell a credit bureau to place a security alert on their file. The alert requires a credit grantor to take steps to verify a credit applicant's identity before any new credit is provided. |
| **Support for Grieving Families** | |
| **Grieving Family Protection** | *The Grieving Family Protection Act* was passed in June 2011. Consultation with consumers and the funeral services profession is in process to solicit input before development of regulations under *The Prearranged Funeral Services Act*. |
| **Grieving Family Protection: Code of Ethics for Funeral Directors** | A mandatory and enforceable code of ethics for Funeral Directors is now in effect. |
| **Protection for Older Manitobans** | |
| **Protection for Older Manitobans – Rentals with Tenant Services** | Legislation came into force in November 2011 addressing disclosure, notice of rate increases and complaint processes for rentals where services such as meals and recreation are also provided. |
| **Protection for Older Manitobans** | Resources, such as fact sheets, have been developed to help older adults steer clear of scams that often target these members of our community. |
| **Protection for Newcomers to Manitoba** | |
| **Guide for Newcomers** | A resource guide was developed to provide information to new immigrants about consumer issues, including banking, credit, shopping, automobiles and transportation, housing, utilities, and protecting yourself from identity theft and scams. |
| **Cell Phone Contract Fairness** | |
| **Fair Cell Phone Contracts** | *The Consumer Protection Amendment Act (Cell Phone Contracts)* was passed in June 2010. The regulations for this act are currently being developed in consultation with consumer and industry stakeholders, with the legislation to come into force in 2012. |
| **Travel** | |
| **Travel Fairness** | The Consumer Protection Office released a public consultation paper on consumer fairness related to travel purchases. Feedback from consumers and industry is being analyzed, and legislation in other provinces is being reviewed with the goal of developing new consumer protection rules for Manitoba. |
| **Negative Option Marketing** | |
| **Negative Option Marketing Ban** | Changes were made to *The Consumer Protection Act* that effectively banned negative option marketing. The changes mean that companies cannot use a consumer's failure to respond to the offer of goods or services as an agreement to pay for the product. |

| Enforcement | |
|---|---|
| **Stronger Enforcement: Enhanced Remedies under *The Consumer Protection Act*** | Amendments were made to increase the maximum fine for breach of the act and to enable the Court to order restitution upon a conviction. |
| **Consumer Rights Day** | |
| **New Consumer Rights Day** | Legislation was passed in June 2011 to declare March 15th Consumer Rights Day. |

## Residential Tenancies Branch

### Objectives

- To create a rental marketplace that serves landlords and tenants fairly.
- To educate tenants and landlords to help them make well-informed, responsible decisions.
- To provide tenants and landlords with balanced and timely dispute resolution.
- To administer the province's rent regulation program.
- To administer *The Residential Tenancies Act*, *The Life Leases Act* and certain provisions of *The Condominium Act.*
- To identify issues and trends in the rental marketplace and recommend legislative change where appropriate.

### Responsibilities

- Provides information to landlords, tenants and others on *The Residential Tenancies Act*, *The Life Leases Act* and *The Condominium Act* as it relates to residential tenancies.
- Investigates complaints of non-compliance with legislation and enforces compliance when necessary.
- Mediates disputes between landlords and tenants and issues enforceable agreements setting out the terms to which the parties have agreed.
- Makes decisions on disputes between tenants and landlords about:
  - deposits
  - repairs
  - terms and conditions of a tenancy agreement or life lease
  - the right to continue in occupancy, including termination of tenancy for non-payment of rent and noise and disturbance
  - claims for compensation
  - privacy
  - non-payment of utilities
  - life lease entrance fees
- Makes decisions on landlords' applications for rent increases above the guideline and tenants' objections to any rent increases and applications for approval of a rehabilitation scheme.
- Administers the Security Deposit Compensation Fund.
- The branch has offices in Winnipeg, Brandon and Thompson.

**4(c) Residential Tenancies Branch**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 4,039 | 64.30 | 4,294 | (255) | |
| Total Other Expenditures | 975 | | 991 | (16) | |

## Activities/ Highlights in 2011/12

### Front End Dispute Resolution

Client Services Officers provide dispute resolution services. They work with tenants and landlords to resolve their concerns as quickly as possible. Resolving disputes through mediation remains a priority for the branch. In 2011/12, close to 4,900 complaints were resolved informally. Client Services Officers resolved an additional 2,651 disputes through formal mediated agreements. If a party defaults on a term of a mediated agreement, the branch can issue a non-appealable order, which can then be enforced through the Courts in the same way as a judgment of the Court.

### Investigation/Enforcement

Investigation Officers are responsible for investigating breaches of the legislation and enforcing compliance. Investigation Officers compile information from landlords and tenants, inspect rental units and issue orders necessary to obtain compliance (e.g. orders to make repairs or allow access to the rental unit).

Disputes related to repairs increased in 2011/12. Investigation and Enforcement Officers work with landlords to resolve repair matters, issuing orders to repair if necessary. Tenants can also be ordered to pay rent to the branch to enforce compliance with orders. The branch can hire contractors to do needed repairs, supervise the activities of the contractors and pay them from rent collected from tenants. Landlords are charged administrative fees in these types of cases.

Investigation and Enforcement Officers also worked with utility service providers to ensure that utility service continued to be provided for tenants in 104 buildings after the landlords' accounts fell into arrears and the service was in danger of being cut off.

Investigation staff was also an integral part of the province's Interdepartmental Provincial Bed Bug Coordination Committee (IPCC) and the Manitoba Bed Bug Coalition.

### Mediation and Adjudication

Mediation and Adjudication Officers are responsible for the formal dispute resolution activities of the branch. Landlords and tenants may file claims for compensation with the branch. There is no limitation on the amount of money that can be claimed. Landlords may also apply for orders of possession to end the tenancies of tenants who refuse to move after receiving a notice of termination.

Mediation is an important and effective non-adversarial method of resolving disputes. Mediation Officers attempt to resolve disputes before the date set for the determination hearing. In 2011/12, Mediation Officers successfully resolved 18 per cent of the 1,136 compensation claims filed with the branch through mediation. In addition, 34 per cent of the 1,857 applications for orders of possession were resolved through mediation. Mediation of order of possession cases often saves tenancies by allowing tenants to remain in occupancy after making arrangements to pay off rent arrears and promising to keep future rent payments current.

When mediation is not successful, Adjudication Officers make decisions about the disputes after hearing evidence from landlords and tenants. In 2011/12, the branch held 1,450 hearings. Following hearings, the Adjudication Officers issue written orders that are enforceable in the Courts (e.g. order to pay money, order to move out of a rental unit). These orders include reasons, so that the parties understand how a particular decision was reached. Final orders of the branch are posted on the branch's Orders System, which provides information about the orders the branch issues, except for rent regulation orders. Clients can access the system by subscription or by individual search at branch offices.

The branch continues to offer its Safety Net program. The program's main purpose is to help people with special needs who are being evicted. These include clients with mental or physical disabilities, the elderly and infirm, single parents or families with children. Mediation Officers ensure that these tenants understand what is happening and connect them with social services agencies that can assist them. The program may also be used when a building is closed down by the health authorities.

**Rent Regulation**

Rent Regulation Officers are responsible for matters relating to rent increases, including applications to increase rent above the annual rent increase guideline, tenant objections to rent increases, and applications for approval of a rehabilitation scheme. Rent Regulation Officers review submissions from landlords and tenants and issue orders setting rents.

Landlords who upgrade and reinvest in their properties or whose costs increase by more than the guideline can apply for a rent increase above the guideline or approval of rehabilitation schemes of residential complexes. In 2011/12, 316 above guideline applications and 58 rehabilitation applications were received. Strong demand also continued for rent status reports as many rental properties were sold to new owners. Anyone who is considering the purchase of a rental property can apply to the branch for a rent status report. The report can alert prospective purchasers to potential rent increase problems because it provides information about a property's rent history. The branch received 157 of these requests in 2011/12.

**Information/Education**

Client Services Officers provide information to clients who contact the branch by phone, in-person or by e-mail. The branch's Winnipeg office has an Interactive Voice Response System. Callers may choose to speak to a Client Services Officer or listen to recorded information segments about rent increases, security deposits, landlord and tenant responsibilities and repairs. The branch provides fact sheets and other resource material to clients and publishes "Open Doors", a quarterly newsletter. The branch also has a very detailed website which includes its Policies and Procedures Guidebook, fill and print forms and a security deposit interest calculator. The website also includes the branch's Orders System. Branch staff makes formal presentations to various stakeholder groups about the legislation. Information displays are also set up at various events.

Demand for general information continues to be strong. The branch's client services staff handled close to 64,000 calls during the fiscal year and responded to 5,386 email requests for information. In 2011/12, 8,569 people visited branch offices to request information or file a formal complaint.

Public education through presentations and information displays continued. The branch made 46 presentations to 819 participants. The branch also had displays at seven events and had the opportunity to speak with approximately 1,100 people at these venues. Staff also held informal drop-in information sessions at a community service agency.

The branch produced several new fact sheets to provide information to clients about changes to the legislation and to provide tips about how to avoid and treat bed bud infestations. The branch also launched new brochures relating to pets in rental units. The brochure for landlords provides tips about accepting tenants with pets and the right to establish reasonable rules about the type of pets allowed and who to contact for help if there is a problem. The brochure includes a sample schedule landlords can attach to their tenancy agreements setting out their expectations regarding the tenant's pet. The brochure for tenants provides tips about finding pet-friendly housing as well as detailed information about what it means to be a responsible pet owner. These brochures are available in branch offices, on the branch's website and at the Winnipeg Humane Society.

The branch was one of the partners in the consumer tips calendar, which was distributed to various organizations who interact with the same stakeholders as the branch.

**Administration/Legislation and Policy Development**

The administration staff manages the internal operation of the branch, which includes the management of financial and human resources. Staff is also responsible for the review of existing legislation and policy and the development of new initiatives in these areas.

*The Residential Tenancies Act* is one of the most comprehensive legislative schemes of its kind in Canada. To ensure that the legislation continues to meet the needs of tenants and landlords, amendments to *The Residential Tenancies Act* and the related regulations came into effect in 2011/12. The key changes were:

- new work and expenditure requirements for whole complex rehabilitation schemes;
- increases in late payment fees and NSF charges;
- new provisions relating to tenancies where landlords provide services like meals and light housekeeping; and
- reduced filing fees for above guideline rent increase applications on smaller complexes.

Branch staff was also involved in amendments to the tenant protection provisions of the existing Condominium Act and in the development of a new Condominium Act, which will be proclaimed after the completion of necessary regulations.

Consultation with stakeholders about issues affecting residential tenancies continues.

Review and refinement of business processes and technical solutions to improve service delivery also continues.

The staff is also responsible for the administration of the Security Deposit Compensation Fund. Unclaimed deposit and rent refunds are deposited into the Compensation Fund. The purpose of the fund is to return security deposits to tenants when landlords fail to comply with orders to refund the money. When the balance in the fund is more than $30,000, the excess balance can be used to offset the costs of providing educational programs for landlords and tenants.

**Independent Tenant Advisor Program**

The Independent Advisor Program continues to be offered in the branch's Winnipeg office. This three-year pilot project began the fall of 2010. The program now offers assistance to tenants and landlords who have smaller property portfolios to file claims and prepare for hearings at the Residential Tenancies Branch and Commission.

## Parts 1 - 8 of *The Residential Tenancies Act*

**CASE LOAD**

| Case Type | 2011/12 | 2010/11 |
|---|---|---|
| Failure of Landlord/Tenant to Meet Obligations[1] | 56 | 18 |
| Hearings | | |
| • Claims | 1,136 | 1,162 |
| • Order of Possession | 1,857 | 1,935 |
| • Determination | 74 | 59 |
| Non-payment of Utilities | 104 | 125 |
| Notices to Vacate | 9 | 8 |
| Repairs | 793 | 774 |
| Security Deposits | 479 | 487 |
| Tenancy Agreements | 2 | 3 |
| Other[2] | 147 | 154 |
| **Total Cases Opened** | **4,657** | **4,725** |
| Total Cases Closed[3] | 4,728 | 4,821 |
| Intakes Resolved[4] | 4,417 | 4,873 |
| **Total Cases Closed and Intakes Resolved** | **9,145** | **9,694** |

[1] This category includes disputes over locks and doors, privacy, seizure of tenants' property, non-payment of rent, disturbance, withholding of services, unauthorized charges or fees.

[2] This category includes disputes involving assignment and subletting, mobile homes, entitlement to collect rent, change of landlord and abandonment of rental unit.

[3] These figures include cases carried over from the previous fiscal year which were closed during the reporting period.

[4] An Intake is a client's request for assistance that does not result in a formal case file being opened. Most are resolved informally at the first stage of contact.

## Part 9 of *The Residential Tenancies Act*

**CASE LOAD**

| Case Type | 2011/12 | 2010/11 |
|---|---|---|
| Application for Above the Guideline Rent Increase[1] | 340 | 316 |
| Application for Approval of a Rehabilitation Scheme - Complex | 73 | 58 |
| Application for Approval of a Rehabilitation Scheme – Specified Unit | 248 | 139 |
| Application for Laundry Increase | 28 | 12 |
| Application for Rent Status Report | 151 | 157 |
| Application for Tenant Requested Improvement | 14 | 11 |
| Application for Withdrawal of Service | 21 | 12 |
| Life Lease Rent Review | 2 | 6 |
| Tenant Objection to Guideline, or less, Rent Increase | 51 | 50 |
| Unauthorized Rent Increases | 820 | 669 |
| Total Cases Opened | 1,748 | 1,430 |
| Total Cases Closed[2] | 1,837 | 1,693 |

[1] The rent increase guideline for 2010 was 1.0 per cent for 2010, 1.5 per cent for 2011 and 1.0 per cent for 2012.

[2] These figures include cases carried over from the previous fiscal year, which were closed during the reporting period.

# Claimant Adviser Office

## Objectives

- To assist persons who wish to appeal a decision made by the Manitoba Public Insurance Corporation (MPIC) in relation to bodily injury claims to the Automobile Injury Compensation Appeal Commission (AICAC).

## Responsibilities

- Advise claimants about the meaning and effect of the provisions of *The Manitoba Public Insurance Corporation Act*, the regulations and decisions made under the act.
- Carry out an investigation, including obtaining an expert opinion, respecting an appeal of an MPIC internal review decision to the AICAC.
- Communicate with or appear before the commission on behalf of a claimant.

**4(d) Claimant Adviser Office**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 806 | 11.50 | 805 | 1 | |
| Total Other Expenditures | 188 | | 270 | (82) | |

## Activities/Highlights in 2011/12

- 146 new files were opened involving 162 internal review decisions and 187 appeal issues.
- All new appeal files were triaged to initiate prompt action on the file.
- Quarterly meetings were held by the Director with each claimant adviser to review file investigation progress.

## File Analysis

| Closed Files | 2011/12 | 2010/11 |
|---|---|---|
| No appealable issue | 50 | 44 |
| Appeal allowed | 4 | 8 |
| Appeal denied | 12 | 14 |
| Settlement (No hearing) | 29 | 24 |
| New decision from MPIC | 15 | 13 |
| Mediation | 21 | NA |
| Withdrawn after review | 40 | 54 |
| **Total** | **171** | **157** |

| Status Of Open Files | 2011/12 | 2010/11 |
|---|---|---|
| Claimant application incomplete | 4 | 8 |
| CAO awaiting Indexed File | 26 | 29 |
| Active files | 289 | 308 |
| **Total** | **319** | **345** |

| Status of Active Files | 2011/12 | 2010/11 |
|---|---|---|
| Files under active review | 289 | 278 |
| Files awaiting additional information | 26 | 30 |
| **Total** | **263** | **308** |

| Appeals | 2011/12 | 2010/11 |
|---|---|---|
| Appeal Hearing dates scheduled | 27 | 45 |
| Pre-Hearing dates | 36 | 14 |
| **Total** | **63** | **59** |

| Mediation | 2011/12 | NA |
|---|---|---|
| Pre-mediation | 56 | |
| Mediation | 48 | |
| **Total** | **104** | |

- Since the office opened on May 16, 2005, claimant advisers have recovered approximately $2,601,300 in benefits for appellants. During 2011/12, $785,800 was recovered. This does not include the value of ongoing benefits that continue to be paid based on the appeal decision, new decision or resolution agreement.
- The Claimant Adviser Office has processed and closed 171 appeal files in the 2011/12 fiscal year. Clients have completed and returned 38 Client Service Satisfaction Forms out of the 171 closed files, a return rate of 22 per cent.

| Service Measures | Excellent | Good | Average | Fair | Poor | Yes | No |
|---|---|---|---|---|---|---|---|
| Satisfaction with service | 30 | 4 | 1 | 0 | 2 | | |
| Accessibility to office and services | 26 | 4 | 1 | 1 | 2 | | |
| Phone calls returned promptly | 30 | 2 | 0 | 2 | 1 | | |
| Knowledge of the staff | 29 | 3 | 1 | 0 | 2 | | |
| Efficiency of service | 28 | 3 | 1 | 0 | 2 | | |
| Would you recommend our service to others? | | | | | | 33 | 1 |

# Automobile Injury Compensation Appeal Commission

## General

- The Automobile Injury Compensation Appeal Commission (the Commission), now in its 18th full year of operation, is a specialist tribunal established under *The Manitoba Public Insurance Corporation Act* (the Act) to hear appeals of internal review decisions concerning benefits under the Personal Injury Protection Plan (PIPP) of the Manitoba Public Insurance Corporation (MPIC), a "no-fault" insurance program.
- The commission has 11 full-time staff comprised of a chief commissioner, two deputy chief commissioners, a director of appeals, three appeals officers, a secretary to the chief commissioner, two administrative assistants and one clerical assistant. In addition, there are 23 part-time commissioners who sit on appeal panels as required.
- In 2011/12, 171 individuals filed new appeals. This compares with 192 individuals filing new appeals in the 2010/11 fiscal year. Many of the appeals heard during the 2011/12 fiscal year related to injuries sustained in prior years. As each year passes, many of the files increase in terms of the volume of documents and time required by the commission to review the files. This is due in part to the fact that when injuries are relatively serious and the insurer's initial liability is not disputed, a claimant may be in receipt of income replacement, medical treatment or other coverage from MPIC for an extended period; in these cases it is only when the insurer decides to terminate benefits that the appeal process is initiated.

**4(e) Automobile Injury Compensation Appeal Commission**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 810 | 8.50 | 1,007 | (197) | *1* |
| Total Other Expenditures | 236 | | 311 | (75) | |

*1 Reflects staff vacancies.*

## Activities/Highlights in 2011/12

- In 2011/12, the commission held 94 hearings and 102 pre-hearing meetings or case conferences as compared to 81 hearings and 48 pre-hearings or case conferences in 2010/11. Management of appeals by case conference continues to be an important part of the commission's hearing schedule. Over the last four fiscal years, the commission noted that many appeals required additional case management by a commissioner. Case conferences assist in determining the status of appeals, resolving parties' impediments to scheduling a hearing date, facilitating mediation, and scheduling hearings. Appellants were successful in whole or in part in 27 per cent of the appeals heard by the commission during 2011/12.
- In 2011/12, a two-year pilot project was launched which provides appellants with the option to pursue mediation of their appeal. Mediations are conducted by the Automobile Injury Mediation Office, which is independent of the commission. In conjunction with the pilot project, the commission's role is to facilitate an appellant's request to participate in mediation at the Automobile Injury Mediation Office, in addition to proceeding with an appeal at the commission for any matters that remain unresolved.
- A decision of the commission is binding, subject only to a right of appeal to the Manitoba Court of Appeal on a point of law or a question of jurisdiction, and then only with leave of the court. There were two applications for leave to appeal in the 2011/12 year. The Court of Appeal denied leave in one case and granted leave to appeal in the other case. One remaining application for leave to appeal that was filed in a previous fiscal year continues to be adjourned at the Court of Appeal. In the

commission's 18 years of operation, the Court of Appeal has granted leave to appeal in a total of 13 cases from the 1,493 decisions made by the commission.

- While staff changes, increases in workload, volume and complexity of appeals continue to be factors, timely preparation of indexes improved as files were indexed within 13 weeks of the receipt of MPIC's file and additional material (compared to 17 weeks in 2010/11 and 12 weeks in 2009/10).
- Hearing dates were scheduled within eight weeks from the time the parties were ready to proceed to a hearing (compared to nine weeks in 2010/11 and nine weeks in 2009/10).
- The average time from the date a hearing concluded to the date the commission issued an appeal decision was 5.49 weeks (compared to 5.5 weeks in 2010/11 and 4.9 weeks in 2009/10).

## Residential Tenancies Commission

The Residential Tenancies Commission is a quasi-judicial, specialist tribunal that hears appeals from decisions and orders of the Director under *The Residential Tenancies Act.*

The Residential Tenancies Commission consists of:

- The Chief Commissioner – a full-time position; appointed for up to a five-year term, located in Winnipeg.
- Deputy Chief Commissioners – one full-time position appointed for up to a four-year term and 24 part-time positions appointed for up to a four-year term, from Winnipeg, Thompson and Brandon. The Deputy Chief Commissioner may exercise the powers and perform the duties of the Chief Commissioner.
- Panel members – 46 panel members from Winnipeg, The Pas, Thompson and Brandon – approximately half representing the views of the landlords; the others the views of the tenants.

Some appeals are heard only by the Chief Commissioner or a Deputy Chief Commissioner and some appeals are heard by a panel of three, consisting of one landlord and one tenant representative and either the Chief Commissioner or a Deputy Chief Commissioner as the neutral Chairperson. The neutral Chairperson also casts the deciding vote if there is a tie. Hearings outside of Winnipeg are held at the nearest judicial district.

The Residential Tenancies Commission decisions made under Parts 1-8 of *The Residential Tenancies Act* can be appealed to the Court of Appeal, but only on a question of law or jurisdiction. A Court of Appeal judge must grant leave or permission to appeal. Section 179 of *The Residential Tenancies Act* dealing with rent regulation states that "No appeal lies from a decision or order of the commission made in a matter arising under Part 9." The Residential Tenancies Commission's decision here is final.

**4(f) Residential Tenancies Commission**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 842 | 6.50 | 863 | (21) | |
| Total Other Expenditures | 218 | | 205 | 13 | |

## ACTIVITY SUMMARY
## April 1, 2011 – March 31, 2012

| Activity: | Received | Processed |
|---|---|---|
| Abandonment | 1 | 1 |
| Claim For Security Deposit or Less | 43 | 53 |
| Claim | 177 | 203 |
| Claim and Order of Possession | 209 | 216 |
| Determination | 9 | 10 |
| Disputes | 0 | 0 |
| Distraint and Lockout | 0 | 0 |
| Enforcement | 0 | 0 |
| Order of Possession | 3 | 5 |
| Repairs | 35 | 33 |
| Utilities | 7 | 7 |
| Rent Regulation | 120 | 142 |
| **Total** | **604** | **670** |

| Appeals[1]: | |
|---|---|
| Landlord initiated | 221 |
| Tenant initiated | 267 |
| Other Party initiated | 2 |
| Multiple Party initiated | 114 |
| **Total** | **604** |

| Decisions[2]: | |
|---|---|
| Orders upheld | 192 |
| Orders varied | 269 |
| Orders rescinded/overturned | 69 |
| Orders withdrawn/settled | 104 |
| Orders cancelled | 6 |
| Pending | 2 |
| Orders denied | 28 |
| Rejected | 0 |
| **Total** | **670** |

[1] Total Appeals represents the number of Appeals received within the fiscal period.
[2] Total Decisions represents the number of Appeals processed where Orders have been issued and files closed within the fiscal period.

## ACTIVITY SUMMARY
## April 1, 2011 – March 31, 2012

| | |
|---|---|
| **Winnipeg Appeal Hearings** | **581** |
| **Other Appeal Hearings:** | |
| Beausejour | 2 |
| Brandon | 18 |
| Morden | 3 |
| Portage la Prairie | 38 |
| Selkirk | 2 |
| Steinbach | 5 |
| Thompson | 11 |
| Winkler | 1 |
| **Total Appeal Hearings** | **661**[1] |

| **Court of Appeal** | **Received** | **Outcomes**[2] |
|---|---|---|
| **Applications for Leave to Appeal** | **28** | |
| Denied | | 27 |
| Pending | | 2 |
| Granted | | 0 |
| New Commission Hearing to be held | | 0 |
| Adjourned Sine Die | | 0 |
| Withdrawn | | 1 |
| Settled | | 0 |
| Abandoned | | 0 |
| **Court of Appeal Hearings** Pending | | 0 |

[1] Total Appeal Hearings represents the actual number of hearings which took place within the fiscal period.
[2] Outcome describes the status of the applications received in the fiscal period and any applications pending from the prior fiscal period

# The Public Utilities Board

The Public Utilities Board is an independent quasi-judicial regulatory body operating under the authority of the Manitoba Legislature.

## Responsibilities

The board is responsible for the regulation of public utilities, as are defined under *The Public Utilities Board Act*. Public utilities include:

- Centra Gas Manitoba Inc. - natural gas distribution
- Stittco Utilities Man Ltd. - propane distribution
- Swan Valley Gas Corporation - natural gas distribution
- Water and Sewer Utilities - excluding the City of Winnipeg and the Manitoba Water Services Board

With respect to *The Crown Corporations Public Review and Accountability and Consequential Amendments Act*, the board is also responsible for the rate regulation of compulsory driver and vehicle insurance premiums charged by Manitoba Public Insurance, and electricity rates charged by Manitoba Hydro.

In addition to the general and rate regulation of the above noted public utilities, the board, pursuant to *The Gas Pipe Line Act*, is responsible for assuring natural gas and propane are distributed to Manitoba consumers in a safe manner.

Other legislation that assigns either regulatory or adjudicative responsibilities to the board is:

- *The Greater Winnipeg Gas Distribution Act*
- *The Gas Allocation Act*
- *The Prearranged Funeral Services Act*
- *The Cemeteries Act*
- *The Manitoba Water Services Board Act* (Appeals)
- *The Highways Protection Act* (Appeals)
- *The Consumer Protection Act* (maximum rates for cashing government cheques)
- *The City of Winnipeg Act* (passenger carrier agreements)
- *The Municipal Act*
- *The Emergency 911 Public Safety Answering Point Act* (Appeals)

## Activities/Highlights in 2011/12

The board convened 23 oral public hearings over 53 days and two pre-hearing conference days. As a result of those oral public hearings and approximately 100 paper-based proceedings, which included public notices, the board issued 159 formal Orders (163 in 2010/11):

| Hearings | 2011/12 | 2010/11 |
|---|---|---|
| Water and Sewer Utilities | 55 | 65 |
| Natural Gas Utilities and Propane | 20 | 17 |
| The Highways Protection Act | 4 | 3 |
| Manitoba Hydro | 65 | 65 |
| Manitoba Public Insurance | 10 | 10 |
| The Cemeteries Act | 4 | 2 |
| The Prearranged Funeral Services Act | 1 | 0 |
| Government Cheque Cashing Fees[1] | 0 | 1 |
| **Total** | **159** | **163** |

[1] *Hearings normally held every three years*

The board also issued 209 annual licences:

| | 2011/12 | 2010/11 |
|---|---|---|
| **Direct Purchase of Natural Gas** | | |
| Brokers | **10** | **10** |
| **The Cemeteries Act** | | |
| Cemeteries, renewal | 11 | 11 |
| Conditional | 1 | - |
| Columbariums | 21 | 20 |
| Initial licensing | - | 1 |
| Conditional | 1 | - |
| Mausoleums | 5 | 5 |
| Crematories | 19 | 19 |
| Initial licensing | 1 | - |
| Conditional | 1 | - |
| Sales-Owners | 11 | 11 |
| Conditional | 1 | - |
| Agents | 90 | 72 |
| Agent Transfer | 1 | 1 |
| | **163** | **140** |
| **The Prearranged Funeral Services Act** | | |
| Renewal | 33 | 24 |
| Initial licensing | 1 | - |
| Conditional | 2 | - |
| | **36** | **24** |
| **Total licences issued** | **209** | **174** |

The board dealt with public inquiries and complaints related to public utilities and engaged in discussions with natural gas brokers and firms within the bereavement industry in order to resolve customer concerns.

The board also supervised the Service Disconnection and Reconnection policies and procedures of Centra Gas Manitoba Inc., Swan Valley Gas Corporation and Stittco Utilities Man Ltd. In this regard, the board received and resolved a number of customer complaints.

During the 2011/12 year, the board received one appeal of a decision handed down by the Highway Traffic Board. Four decisions were handed down, including four appeals carried over from the previous year.

**4(g) The Public Utilities Board, Direct Expenditures**

| Expenditures by Sub-Appropriation | Actual 2011/12 $000 | FTE | Estimate 2011/12 $000 | Variance Over/(Under) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries and Employee Benefits | 688 | 7.23 | 681 | 7 | |
| Total Other Expenditures | 429 | | 667 | (238) | *1* |

*1 Reflects the board's continued efforts to constrain external engineering consulting costs.*

## Boards and Agencies

The boards and agencies listed below report to the Minister of Healthy Living, Seniors and Consumer Affairs. Unless otherwise indicated, their annual reports are tabled separately in the Legislative Assembly.

Addictions Foundation of Manitoba
http://www.afm.mb.ca/About%20AFM/annual.htm

Automobile Injury Compensation Appeal Commission

Manitoba Council on Aging
(included in Manitoba Healthy Living, Seniors and Consumer Affairs report on page 22).

Public Utilities Board
http://www.gov.mb.ca/cca/residtc/pubs/annual_report_09.pdf

Residential Tenancies Commission
http://www.gov.mb.ca/cca/residtc/pubs/annual_report_09.pdf

# Financial Report Summary Information Part 1

**Healthy Living, Seniors and Consumer Affairs**
**Reconciliation Statement**
**April 1, 2011 – March 31, 2012**

| Details | 2011/12 Estimates |
|---|---|
| 2011/12 MAIN ESTIMATES | 77,897 |
| MAIN ESTIMATES AUTHORITY TRANSFERRED FROM: | |
| - Conservation and Water Stewardship | 108 |
| - Family Services and Labour | 12,847 |
| - Health | 5,508 |
| MAIN ESTIMATES AUTHORITY TRANSFERRED TO: | |
| - Children and Youth Opportunities | (38,758) |
| **2011/12 Estimates** | **57,602** |

## Healthy Living, Seniors and Consumer Affairs
## Expenditure Summary

for fiscal year ended March 31, 2012

| Estimate 2011/12 $(000s) | | Appropriation | Actuals 2011/12 $(000s) | Actuals [1] 2010/11 $(000s) | Increase (Decrease) $(000s) | Expl. No. |
|---|---|---|---|---|---|---|
| | **34-1** | **Administration and Finance** | | | | |
| 37 | 34-1a | Minister's Salary | 37 | 37 | - | |
| | 34-1b | Executive Support | | | | |
| 343 | | 1 Salaries and Employee Benefits | 348 | 495 | (147) | |
| 67 | | 2 Other Expenditures | 67 | 59 | 8 | |
| 192 | 34-1c | Finance and Administration | 198 | 69 | 129 | |
| **639** | | **Total Appropriation 34-1** | **650** | **660** | **(10)** | |
| | **34-2** | **Healthy Living** | | | | |
| | 34-2a | Healthy Living and Healthy Populations | | | | |
| 1,174 | | 1 Salaries and Employee Benefits | 1,111 | 994 | 117 | |
| 3,472 | | 2 Other Expenditures | 2,856 | 4,162 | (1,306) | *1* |
| 3,150 | | 3 External Agencies | 3,057 | 1,436 | 1,621 | *1* |
| | 34-2b | Mental Health and Spiritual Health | | | | |
| 675 | | 1 Salaries and Employee Benefits | 662 | 672 | (10) | |
| 2,399 | | 2 Other Expenditures | 1,421 | 888 | 533 | *2* |
| 2,434 | | 3 External Agencies | 2,425 | 2,198 | 227 | |
| | 34-2c | Tobacco Control and Cessation | | | | |
| 230 | | 1 Salaries and Employee Benefits | 226 | 227 | (1) | |
| 702 | | 2 Other Expenditures | 702 | 519 | 183 | *1* |
| 166 | | 3 External Agencies | 166 | 0 | 166 | *1* |
| | 34-2d | Addictions Management Unit | | | | |
| 286 | | 1 Salaries and Employee Benefits | 296 | 105 | 191 | *3* |

| | | | | | | |
|---|---|---|---|---|---|---|
| 62 | | 2 Other Expenditures | 755 | 25 | 730 | *3* |
| 8,338 | | 3 External Agencies | 8,339 | 7,622 | 717 | |
| **23,088** | | **Total Appropriation 34-2** | **22,016** | **18,848** | **3,168** | |
| | **34-3** | **Seniors and Healthy Aging** | | | | |
| 701 | | a Salaries and Employee Benefits | 715 | 727 | (12) | |
| 295 | | b Other Expenditures | 279 | 234 | 45 | |
| 713 | | c External Agencies | 686 | 708 | (22) | |
| **1,709** | | **Total Appropriation 34-3** | **1,680** | **1,669** | **11** | |
| | **34-4** | **Consumer and Corporate Affairs** | | | | |
| | 34-4a | Administration and Research | | | | |
| 486 | | 1 Salaries and Employee Benefits | 452 | 459 | (7) | |
| 219 | | 2 Other Expenditures | 345 | 278 | 67 | |
| | 34-4b | Consumer Protection Office | | | | |
| 1,345 | | 1 Salaries and Employee Benefits | 1,239 | 1,171 | 68 | |
| 246 | | 2 Other Expenditures | 318 | 280 | 38 | |
| 150 | | 3 External Agencies | 177 | 174 | 3 | |
| | 34-4c | Residential Tenancies Branch | | | | |
| 4,294 | | 1 Salaries and Employee Benefits | 4,039 | 3,919 | 120 | |
| 991 | | 2 Other Expenditures | 975 | 940 | 35 | |
| | 34-4d | Claimant Advisor Office | | | | |
| 805 | | 1 Salaries and Employee Benefits | 806 | 761 | 45 | |
| 270 | | 2 Other Expenditures | 188 | 176 | 12 | |
| | 34-4e | Automobile Injury Compensation Appeal Commission | | | | |
| 1,007 | | 1 Salaries and Employee Benefits | 810 | 795 | 15 | |
| 311 | | 2 Other Expenditures | 236 | 239 | (3) | |
| | 34-4f | Residential Tenancies Commission | | | | |
| 863 | | 1 Salaries and Employee Benefits | 842 | 811 | 31 | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 205 | | 2 Other Expenditures | 218 | 194 | 24 | |
| | 34-4g | Public Utilities Board | | | | |
| 681 | | 1 Salaries and Employee Benefits | 688 | 830 | (142) | *4* |
| 667 | | 2 Other Expenditures | 429 | 471 | (42) | |
| | 34-4h | Vital Statistics Agency | | | | |
| | 34-4i | The Property Registry | | | | |
| | 34-4j | Companies Office | | | | |
| **12,540** | | **Total Appropriation 34-4** | **11,762** | **11,498** | **264** | |
| | **34-5** | **Addictions Foundation of Manitoba** | | | | |
| 21,032 | | a Program Delivery | 21,032 | 20,590 | 442 | |
| 3,238 | | b Problem Gambling Services | 3,238 | 3,238 | 0 | |
| (1,633) | | c Less: Third Party Recoveries | (1,633) | (1,633) | 0 | |
| (3,238) | | d Less: Recoveries from Manitoba Lotteries Corporation | (3,238) | (3,238) | 0 | |
| **19,399** | | **Total Appropriation 34-5** | **19,399** | **18,957** | **442** | |
| | **34-6** | **Costs Related to Capital Assets** | | | | |
| 227 | 34-6 | Costs Related to Capital Assets | 226 | 241 | (15) | |
| **227** | | **Total Appropriation 34-7** | **226** | **241** | **(15)** | |
| **57,602** | | **Total Appropriation 34** | **55,733** | **51,873** | **3,860** | |

1 *Reflects transfer of funding to External Agencies appropriation for grants paid from other expenditures appropriation in previous years.*

2 *Reflects establishment of Provincial Special Needs Program.*

3 *Reflects expenditures on Drug Treatment Funding Program which were 100% recovered from the Government of Canada.*

4 *Reflects vacant position.*

## Healthy Living, Seniors and Consumer Affairs
## Revenue Summary by Source

for the fiscal year ended March 31, 2012
with comparative figures for the previous fiscal year

| Actual 2010/11 ($000) | Actual 2011/12 ($000) | Increase (Decrease) ($000) | Source | Actual 2011/12 ($000) | Estimate 2011/12 ($000) | Variance ($000) | Expl. No. |
|---|---|---|---|---|---|---|---|
| | | | **Current Operating Programs:** | | | | |
| | | | Other Revenue: | | | | |
| 1,121 | 1,116 | (5) | Automobile Injury Appeals Commission Cost Recovery | 1,116 | 1,417 | (301) | |
| 1,007 | 1,068 | 61 | Claimant Advisor Office Cost Recovery | 1,068 | 1,156 | (88) | |
| 2,448 | 2,321 | (127) | Consumer Affairs Fees | 2,321 | 2,079 | 242 | |
| 1,282 | 1,255 | (27) | Public Utilities Board Cost Recovery | 1,255 | 1,382 | (127) | |
| 13 | 79 | 66 | Sundry | 79 | 32 | 47 | |
| **5,871** | **5,839** | **(32)** | **Total - Other Revenue** | **5,839** | **6,066** | **(227)** | |
| | | | Taxation: | | | | |
| 58,697 | 67,314 | 8,617 | Land Transfer Tax | 67,314 | 62,500 | 4,814 | *1* |
| **58,697** | **67,314** | **8,617** | **Total - Taxation** | **67,314** | **62,500** | **4,814** | |
| | | | Government of Canada: | | | | |
| 2,316 | 1,148 | (1,168) | Healthy Living, Seniors and Consumer Affairs | 1,148 | 0 | (1,148) | *2* |
| **2,316** | **1,148** | **(1,168)** | **Total - Government of Canada** | **1,148** | **2,316** | **(1,168)** | |
| **66,884** | **74,301** | **7,417** | **TOTAL REVENUE - CURRENT OPERATING PROGRAMS** | **74,301** | **70,882** | **3,419** | |

1 *Reflects increased transaction volume and increased property values.*
2 *Reflects receipts from the Government of Canada for the Drug Treatment Funding Program of $1,073 and Tobacco Sales to Minors Enforcement Program of $75.*

## Historical Information

### Healthy Living, Seniors and Consumer Affairs
### Five Year Expenditure and Staffing Summary by Appropriation
for years ending March 31, 2008 to March 31, 2012

| | Appropriation | 2007/08 [1] FTE | 2007/08 [1] $(000s) | 2008/09 [1] FTE | 2008/09 [1] $(000s) | 2009/10 [1] FTE | 2009/10 [1] $(000s) | 2010/11 FTE | 2010/11 $(000s) | 2011/12 FTE | 2011/12 $(000s) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 34-1 | Administration and Finance | 6.00 | 495 | 6.00 | 523 | 6.00 | 574 | 6.00 | 660 | 6.00 | 650 |
| 34-2 | Healthy Living | 20.00 | 14,922 | 25.00 | 15,892 | 25.00 | 18,904 | 27.00 | 18,848 | 28.00 | 22,016 |
| 34-3 | Seniors and Healthy Aging | 9.00 | 1,224 | 9.00 | 1,676 | 10.00 | 1,668 | 10.00 | 1,669 | 10.00 | 1,680 |
| 34-4 | Consumer and Corporate Affairs | 120.51 | 10,265 | 121.51 | 11,075 | 117.61 | 11,280 | 117.61 | 11,498 | 123.91 | 11,762 |
| 34-5 | Addictions Foundation of Manitoba | | 15,885 | | 15,839 | | 17,045 | | 18,957 | | 19,399 |
| 34-6 | Costs Related to Capital Assets | | 206 | | 196 | | 259 | | 241 | | 226 |
| Total Departmental Expenditures | | 155.51 | 42,997 | 161.51 | 45,201 | 158.61 | 49,730 | 160.61 | 51,873 | 167.91 | 55,733 |

Footnotes:

1 *Prior years' comparative figures have been restated where necessary to conform with the presentation adopted for the fiscal year ending March 31, 2012.*

2 *Addictions Foundation of Manitoba expenditures are reported in a separate Annual Report.*

## Performance Reporting

The following section provides information on key performance measures for the department for the 2011/12 reporting year. All Government of Manitoba departments include performance measures in their Annual Reports to complement the financial results and provide Manitobans with meaningful and useful information about government activities and their impact on the province and its citizens.

For more information on performance reporting and the Manitoba government, visit www.manitoba.ca/performance

Your comments on performance measures are valuable to us. You can send comments or questions to mbperformance@gov.mb.ca

Measures of Performance or Progress:

| What is being measured and using what indicator? (A) | Why is it important to measure this? (B) | What is the starting point? (baseline data and year) (C) | What is the 2011/12 result or most recent available data? (D) | What is the trend over time? (E) | Comments/Recent Actions/Report Links (F) |
|---|---|---|---|---|---|
| 1. Tobacco use rates as measured by the percent of Manitobans 15+ years who reported being current and daily/non-daily smokers.<br><br>*Source*: The Canadian Tobacco Use Monitoring Survey (CTUMS) | Tobacco use is a major cause of death and preventable illness including heart disease and cancer. | Reported rates for 1999 were as follows:<br>- Current smoker: 23%<br>- Daily smoker: 19% | The most recent available data are from 2010:<br>- Current smoker: 21%<br>- Daily smoker: 15% | There is a trend toward reduced smoking. | Data on smoking are self-reported by Manitoba respondents to Statistics Canada surveys. |
| 2. The proportion of Manitoban adults who participate in regular physical activity (30 minutes per day of moderate to vigorous activity), as measured by the Canadian Community Health Survey and the Physical Activity Benchmarks/Monitoring Program of the Canadian Fitness and Lifestyle Institute. | Physical activity is a significant factor contributing to personal health. | In 2005, 45.5% of Manitoba adults participated in regular physical activity. | In 2009, 49.5% of Manitoba adults participated in regular physical activity. | There is a trend toward increased physical activity. | This performance indicator aligns with the Integrated Pan-Canadian Healthy Living Strategy and national and provincial goals. |

| What is being measured and using what indicator? (A) | Why is it important to measure this? (B) | What is the starting point? (baseline data and year) (C) | What is the 2011/12 result or most recent available data? (D) | What is the trend over time? (E) | Comments/Recent Actions/Report Links (F) |
|---|---|---|---|---|---|
| 3. The average number of steps per day taken by children and youth as measured by the Canadian Physical Activity Levels Among Youth (CANPLAY) study. | Physical activity is a significant factor contributing to healthy growth and development. | Between 2005 and 2007, Manitoba children and youth took an average of 11,792 steps per day. | Between 2007 and 2009, Manitoba children and youth took an average of 11,938 steps per day. | There is a trend toward a slight increase in the number of steps taken. | This performance indicator aligns with the Integrated Pan-Canadian Healthy Living Strategy and national and provincial goals. |
| 4. Client access to treatment, measured by the number of residential treatment beds and wait times for adult residential treatment (average wait times in days). | Motivation for change may be hindered by limited access or lengthy wait for treatment. The sooner someone can access treatment, the better. | In 2009/10, there were 316 residential treatment beds in Manitoba (includes 20 beds at Rosaire House funded through the NorMan RHA).<br><br>The average wait time for adult residential treatment was 74.0 days in 2009/10. | In 2011/12, there were 351 residential treatment beds in Manitoba (includes Rosaire House).<br><br>The average wait time for adult residential treatment was 51.5 days in 2011/12. | The number of residential treatment beds increased by 35 beds or 11.1% since 2009/10.<br><br>Wait times decreased by 30.4% since 2009/10. | |
| 5. Mental wellness, as self-reported by Manitobans in the Canadian Community Health Survey's general mental health scale. The general mental health scale is a summary measure indicating the general mental health of an individual which is ranked as low, medium or high. | Mental wellness is a measure of an individual's ability to enjoy life and cope with life's adversities. There is evidence that mental wellness is a protective factor against mental and physical health disorders. | In 2005, survey recipients reported their mental wellness as:<br><br>Low – 25.1%<br>Medium – 34.5%<br>High – 40.4% | In 2010, survey recipients reported their mental wellness as:<br><br>Low – 28.8%<br>Medium – 38.1%<br>High – 33.1% | Between the 2005 and 2010 survey, those that scored high decreased from 40.4% to 33.1%, while those that scored low and medium increased. | |

| What is being measured and using what indicator? (A) | Why is it important to measure this? (B) | What is the starting point? (baseline data and year) (C) | What is the 2011/12 result or most recent available data? (D) | What is the trend over time? (E) | Comments/Recent Actions/Report Links (F) |
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| 6. Physical and mental health status of seniors in Manitoba, using Census data on self-rated health and mental health.<br><br>*Source*: Statistics Canada Canadian Community Health Survey | Perceived physical and mental wellness is a measure of a senior's ability to live a healthy, safe and independent life. | In 2003, 36.4% of Manitoba survey respondents aged 65 years and over reported that their health was 'excellent or very good'. 30.0% reported it was 'fair or poor'.<br><br>64.7% indicated their mental health was 'excellent or very good', and 4.6% reported it was 'fair or poor'. | In 2011, 41.7% of Manitoba survey respondents aged 65 years and over reported that their health was 'excellent or very good'. 26.9% reported it was 'fair or poor'.<br><br>63.5% indicated their mental health was 'excellent or very good', and 6.1% reported it was 'fair or poor'. | Since the 2003 baseline, slightly more Manitobans 65 years and over are reporting their health status as 'excellent or very good' and slightly less are reporting it as 'fair or poor'.<br><br>Alternately, slightly less are reporting their mental health as 'excellent or very good' and slightly more as 'fair or poor'. | Increasing efforts needed in prevention and physical and mental health promotion. |
| 7. Client perceived fairness and effectiveness with decisions of the Residential Tenancies Branch as measured by the rate of appeals of decisions under *The Residential Tenancies Act*. | To ensure that the branch's hearing processes and decisions continue to be fair and effective. | 3,198 orders were issued under Parts 1 – 8 of *The Residential Tenancies Act* (landlord and tenant disputes) in 2005/06 of which 568 (17.8%) were appealed.<br><br>Orders were issued for 469 cases under Part 9 of the Act (rent regulation matters) in 2005/06 of which 98 (20.9%) were appealed. | 3,943 orders were issued under Parts 1 – 8 of *The Residential Tenancies Act* (landlord and tenant disputes) in 2011/12 of which 461 (11.7%) were appealed.<br><br>Orders were issued for 613 cases under Part 9 of the Act (rent regulation matters) in 2011/12 of which 98 (15.9%) were appealed. | The appeal rate for both types of orders decreased from the baseline in 2011/12. | |

| What is being measured and using what indicator? (A) | Why is it important to measure this? (B) | What is the starting point? (baseline data and year) (C) | What is the 2011/12 result or most recent available data? (D) | What is the trend over time? (E) | Comments/Recent Actions/Report Links (F) |
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| 8. Fairness for consumers in payday lending, as indicated by the number of:<br>• consumer complaints regarding payday loans filed with the Consumer Protection Office (CPO); and<br>• CPO Director's Orders issued to payday lenders for non-compliance with legislation. | To ensure that consumers are benefitting from fair business practices when taking out payday loans. | There were 135 complaints in 2010/11, the first year this indicator was tracked.<br><br>4 Director's Orders were issued under Section 161.2 of *The Consumer Protection Act* in 2011/12, the first year this indicator was tracked under new legislation. | There were 134 consumer complaints in 2011/12. | Manitoba's payday lending laws came into force in October 2010. It is anticipated that the number of complaints will increase over the first several years, as consumers become aware of their rights.<br>Complaints should then decrease, as the industry becomes more familiar with the regulations and enforcement efforts are furthered. | |
| 9. Fairness for consumers in cell phone contracts, as indicated by the number of consumer complaints regarding cell phone contracts filed with the Consumer Protection Office. | To ensure that cell phone contracts are fair for consumers and business. | 35 cell phone complaints were received in 2010/11. | 31 cell phone complaints were received in 2011/12. | It is anticipated that the number of consumer complaints will increase over the first several years.<br>Complaints should then decrease, as the industry becomes more familiar with the regulations and enforcement efforts are furthered. | New consumer protection legislation comes into force in September 2012. |

## The Public Interest Disclosure (Whistleblower Protection) Act

*The Public Interest Disclosure (Whistleblower Protection) Act* came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The Act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the Act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or knowingly directing or counseling a person to commit a wrongdoing. The Act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the Act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the Act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the Act, and must be reported in a department's annual report in accordance with Section 18 of the Act.

The following is a summary of disclosures received by Manitoba Healthy Living, Seniors and Consumer Affairs for fiscal year 2011/12:

| **Information Required Annually (per Section 18 of The Act)** | **Fiscal Year 2011/12** |
|---|---|
| The number of disclosures received, and the number acted on and not acted on.<br>*Subsection 18(2)(a)* | **NIL** |
| The number of investigations commenced as a result of a disclosure.<br>*Subsection 18(2)(b)* | **NIL** |
| In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken.<br>*Subsection 18(2)(c)* | **NIL** |